



## Saint Paul Planning Commission

City Hall Conference Center Room 40  
15 Kellogg Boulevard West

Christopher B. Coleman,  
Mayor

### **Steering Committee Meeting – Rescheduled to 09/30/11**

#### **Agenda**

Saint Paul  
Planning Commission

September 16, 2011  
8:30 – 11:00 a.m.

#### Chair

Jon Commers

#### First Vice Chair

Barbara A. Wencil

#### Second Vice Chair

Paula Merrigan

#### Secretary

Anthony Fernandez

#### **I. Approval of minutes of September 2, 2011**

#### **II. Chair's Announcements**

#### **III. Planning Director's Announcements**

#### **IV. Zoning Committee**

**SITE PLAN REVIEW** – List of current applications. (*Tom Beach, 651/266-9086*)

#### **NEW BUSINESS**

#11-264-892 Audrey and John Malone – re-establishment of nonconforming use as a single-family home. 1517 Randolph Avenue, NE corner at Saratoga. (*Sarah Zorn, 651/266-6570*)

#11-265-812 Mississippi Market (Selby Ave) – Rezoning from RM2 Medium Density Multiple-Family Residential to B2 Community Business. 633 Hague Avenue, between Dale and St. Albans. (*Kate Reilly, 651/266-6618*)

#### **V. Comprehensive Planning Committee**

#### **VI. Neighborhood Planning Committee**

Shepard Davern Residential Redevelopment Overlay District Amendment – Approve resolution recommending adoption by the Mayor and City Council. (*Patricia James, 651/266-6639*)

Solar Energy Systems Zoning Text Amendments - Approve resolution recommending adoption by the Mayor and City Council. (*Kate Reilly, 651/266-6618, and Allan Torstenson, 651/266-6579*).

#### **VII. Introduction to Form-Based Coding** – Presentation by Bob Kost, Director of Planning & Design, SEH Inc., and Lucy Thompson, Principal City Planner.

Pat Connolly  
Gene Gelgelu  
Bree Halverson  
Richard Kramer  
Gaius Nelson  
Christopher Ochs  
Trevor Oliver  
Julie Perrus  
Marilyn Porter  
Elizabeth Reveal  
Anthony Schertler  
Robert Spaulding  
Terri Thao  
Jun-Li Wang  
Daniel Ward II  
Barbara A. Wencil  
David Wickiser  
Roxanne Young

Planning Director  
Donna Drummond

**VIII. Communications Committee**

**IX. Task Force Reports**

**X. Old Business**

**XI. New Business**

**XII. Adjournment**

Information on agenda items being considered by the Planning Commission and its committees can be found at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &  
Heritage Preservation Commission**  
MASTER MEETING CALENDAR

**WEEK OF SEPTEMBER 12-16, 2011**

**Mon (12)** \_\_\_\_\_

**Tues (13)** \_\_\_\_\_

**4:00- Comprehensive Planning Committee**  
**5:30 p.m. (Penelope Simison, 651/266-6554)**

**13<sup>th</sup> Floor – CHA**  
**25 Fourth Street W.**

Industrial Zoning Study. Staff report to initiate the study; draft resolution for Planning Commission review. *(Penelope Simison, 651/266-6554)*

**5:00 p.m. Near East Side Task Force**  
*(Luis Pereira, 651/266-6591)*

**Dayton's Bluff Community  
Council Office**  
**798 East 7<sup>th</sup> Street**

Report back from Commercial buildings subcommittee

- 1) Near East Side Commercial Buildings Subcommittee - summary of recommendations
- 2) Update on marketing/branding effort - application to GVC

**Weds (14)** \_\_\_\_\_

**Thurs (15)** \_\_\_\_\_

**5:00 p.m. Heritage Preservation Commission**

**Room 40 City Hall**  
**Lower Level**  
**Enter building on 4<sup>th</sup> Street**  
**15 W. Kellogg Blvd.**

**Permit Review/Public Hearings**

**296 Seventh Street East, Lowertown Historic District (Super America)**, by Lawrence Sign Company, for a sign permit to add red LED lights strips to three sides of the building and canopy, install electronic price units and add a full-color electronic message center to both sides of the monument sign. HPC File #11-027 *(Boulware, 651/266-6715)*

**225-229 Seventh Street West, Smith Building (McGovern's Pub) – Individual Site**, by Kent Forsland of Cabreeze, for a building permit to construct a glass enclosed seating area over the existing patio. HPC File #11-028 *(Spong, 651/266-6614)*

**Public Comment**

**1824 Marshall Avenue, Charles Thompson Memorial Hall, locally designated Heritage Preservation Site**, by the State Historic Preservation Office, for Certified Local Government Comment on the nomination of the building to the national Register of Historic Places. The HPC will allow for public comment and submit an opinion regarding the site meeting National Register Criteria.

**1514 Englewood Avenue, Hamline United Methodist Church, (RA-SPC-1172)**, by the State Historic Preservation Office, for Certified Local Government Comment on the nomination of the building to the National Register of Historic Places. The HPC will allow for public comment and submit an opinion regarding the site meeting National Register Criteria.

**Fri (16)**

**8:00 a.m. Planning Commission Steering Committee**  
(Donna Drummond, 651/266-6556)

**Rescheduled to 09/30/11**

**8:30- Planning Commission Meeting**  
**11:00 a.m.** (Donna Drummond, 651/266-6556)

**Room 40 City Hall**  
Conference Center  
15 Kellogg Blvd.

**Zoning..... SITE PLAN REVIEW** – List of current applications. (Tom Beach, 651/266-9086)

**NEW BUSINESS**

#11-264-892 Audrey and John Malone – re-establishment of nonconforming use as a single-family home. 1517 Randolph Avenue, NE corner at Saratoga.  
(Sarah Zorn, 651/266-6570)

#11-265-812 Mississippi Market (Selby Ave) – Rezoning from RM2 Medium Density Multiple-Family Residential to B2 Community Business. 633 Hague Avenue, between Dale and St. Albans. (Kate Reilly, 651/266-6618)

**Informational Presentation.... Introduction to Form-Based Coding** – Presentation by Bob Kost, Director of Planning & Design, SEH Inc., and Lucy Thompson, Principal City Planner.

**Neighborhood Planning**

**Committee.....** Shepard Davern Residential Redevelopment Overlay District – Approve resolution recommending adoption by the Mayor and City Council.  
(Patricia James, 651/266-6639)

Solar Energy Systems Zoning Text Amendments - Approve resolution recommending adoption by the Mayor and City Council.  
(Kate Reilly, 651/266-6618, and Allan Torstenson, 651/266-6579).



**Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West**

**Minutes September 2, 2011**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, September 2, 2011, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Halverson, Merrigan, Perrus, Porter, Thao, Wang, Wencil, Young; and Messrs. Commers, Fernandez, Gelgelu, Kramer, Nelson, Oliver, Spaulding, and Ward.

**Commissioners Absent:** Ms. \*Reveal and Messrs. \*Connolly, \*Ochs, \*Schertler, and \*Wickiser.  
\*Excused

**Also Present:** Donna Drummond, Planning Director; Tom Beach, Department of Safety and Inspections, Patricia James, Christina Morrison, Sarah Zorn, Luis Pereira, Anton Jerve, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes August 19, 2011.**

**MOTION:** *Commissioner Ward moved approval of the minutes of August 19, 2011. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.*

**II. Chair's Announcements**

Chair Commers had no specific announcements; however he was glad to be back after some traveling abroad and is hopeful those experiences will add to whatever contributions he can make to this commission.

**III. Planning Director's Announcements**

Donna Drummond announced that the City Council has introduced an ordinance that would make an amendment to the Sheppard Davern Residential Overlay District. Before the City Council can adopt the ordinance amendment it has to be reviewed by the Planning Commission. This item will be at the Neighborhood Committee meeting next Wednesday.

**IV. PUBLIC HEARING: Red Rock Station Area Plan – Item from the Transportation Committee. (Christina Morrison, 651/266-6546)**

Chair Commers announced that the Saint Paul Planning Commission was holding a public hearing on the Red Rock Station Area Plan. Notice of the public hearing was emailed to the citywide Early Notification System list on July 25, 2011 and area residents on July 29, 2011.

Christina Morrison, PED staff, talked about the highlights of the station area plan centered at Lower Afton Road and Highway 61. Ms. Morrison outlined the geographic constraints, and discussed drawings of the station area concept plan. The long-term station area plan would place a two-story park and ride ramp on the north side of Lower Afton Road, with a pedestrian bridge over Highway 61. She also noted proposed trail improvements and connections.

Commissioner Spaulding asked what necessitated an above-grade connection over Highway 61, rather than a below-grade connection by Battle Creek Park.

Ms. Morrison stated that there are several reasons for an overhead connection, including providing a safe, visible pedestrian walkway, and that the infrastructure could double as vertical circulation for the parking ramp.

Commissioner Wencil asked how likely is it that this site will be built, given corridor priorities.

Ms. Morrison stated that this station would mainly serve commuters heading to downtown Minneapolis, and its construction would depend on the timing of that phase, as well as various cost-effectiveness and ridership requirements for funding.

Commissioner Wencil also asked how likely it is that the park and ride on the south side will be shifted to the north, whether or not Red Rock is funded.

Ms. Morrison noted that Metro Transit recently submitted a site plan for expanding the existing lot on the south side of Lower Afton Road, which was met with some opposition from the neighborhood, which cited the vision from this plan. The plan has aided the neighbors in discussing some short-term issues at the park and ride, and that will influence both short- and long-term investment.

Chair Commers read the rules of procedure for the public hearing.

No one spoke.

***MOTION: Commissioner Spaulding moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Tuesday, September 6, 2011, and to refer the matter back to the Transportation Committee for review and recommendation. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.***

## **V. Zoning Committee**

**SITE PLAN REVIEW** – List of current applications. *(Tom Beach, 651/266-9086)*

One item came before the staff Site Plan Review Committee on August 30, 2011: Scusi parking lot located at 1820 St. Clair Avenue, new parking lot (mostly paved already).

Two items to come before the Site Plan Review Committee on September 6, 2011: Urgent Care Animal Clinic located at 1546 West 7<sup>th</sup> Street, new construction of St. Paul Satellite Facility; Remo Convenience & Gas Station located at 1200 Rice Street, new 2,496 sq. ft. gas station and deli.

## NEW BUSINESS

#11-255-877 Rolando Aguilar et al – Rezoning from RT1 Two-Family Residential to T2 Traditional Neighborhood. 833 York Avenue NE corner of Arcade at York.  
(Luis Pereira, 651/266-6591)

Commissioner Kramer reported that this is a rezoning of a portion of a RT1 Two-family residential lot to T2 Traditional Neighborhood. There is an existing business facing Arcade on the T2 parcel, and the applicant wants to expand the T2 zoning into the RT1 area primarily for parking. There is also a lot adjustment boundary involved.

***MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.***

#11-260-156 Meridian Industrial Appeal – Appeal to Planning Commission by Union Park District Council of a staff decision made on July 20, 2011 to approve the site plan. 650 Pelham Blvd. (Tom Beach, 651/266-9086)

Commissioner Kramer reported that the resolution before them includes an analysis by the Site Plan Review staff, Tom Beach of the Department of Safety and Inspections, responding to the substantive issues raised in the appeal. The Zoning Committee recommended a few changes to the site plan related to pedestrian and sidewalk access issues, but beyond those changes the committee recommends denying the appeal.

Commissioner Nelson said that part of the discussion had to do with pedestrian and bicycle access to the site. The site plan had no east-west sidewalk along Wabash Avenue. The committee felt a sidewalk should be put into place if feasible. The other issue was access to the site from the south. Tom Beach looked at those issues and came back with proposed additional conditions to put on the resolution for denial of the appeal and approval of the site plan.

Commissioner Kramer pointed out that those conditions are listed as items #1 and #2 on page three of the Planning Commission resolution. The resolution denies the appeal, but adds two additional conditions to the site plan approval.

Commissioner Fernandez said that sometimes development just for development's sake is not the right answer, and they have to do their best to get the full use out of that site. This plan does not do this, so he will be voting in opposition to the resolution.

Commissioner Spaulding discussed the reasons for the denial. This site has been through a lot of planning as part of the Central Corridor Development Strategy and the station area plan. Initially the site looked to be more pedestrian-focused and better suited to traditional neighborhood development. But, as the Comprehensive Planning Committee looked at the zoning recommendations for the Central Corridor Zoning Study earlier this year they looked at the issues, the plans for the property, the potential of the property, the fact that it's outside the station area and right at the edge of the quarter mile walking radius, and that it backs right up to the recycling facility, which is a very heavy industrial use. It therefore seemed better used as light industrial transition area. Legally, site plan review ties back to the zoning. Most of the appeal grounds were outside the purview of what site plan review as designed to address. Within that

limited scope, the Zoning Committee found the two items that Commissioner Nelson addressed in terms of pedestrian flow, which is important considering the proximity to the station area.

Commissioner Merrigan added that as the Comprehensive Planning Committee looked at the Central Corridor Zoning Study recommendations, they looked at the broader policy for industrial property, not just this site. There was discussion about the fact that industrially zoned land typically does not get replaced in the city if the zoning is ever changed. They talked about the job implications of that, its history to the City of Saint Paul, the logistical proximities to the highway and Rock Tenn, and all that was part of their decision. She again stated that the meetings and discussion about the zoning study were well-noticed.

**MOTION:** *Commissioner Kramer moved the Zoning Committee's recommendation to deny the appeal. The motion carried 15-1 (Fernandez) on a voice vote.*

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, September 8, 2011.

**VI. Comprehensive Planning Committee**

Commissioner Merrigan announced the item on the agenda for their next meeting on Tuesday, September 13, 2011.

**VII. Neighborhood Planning Committee**

Commissioner Wencil announced the items on the agenda for their next meeting on Wednesday, September 7, 2011.

**VIII. Transportation Committee**

Commissioner Spaulding announced that their last meeting was cancelled and since this Monday, September 5<sup>th</sup> is a national holiday there will not be a committee meeting on that day.

**IX. Communications Committee**

Commissioner Thao had no report.

**X. Task Force Reports**

Commissioner Kramer reported that the Near East Side Task Force will be meeting on Tuesday, September 13, 2011.

**XI. Old Business**

None.

**XII. New Business**

None.

### **XIII. Adjournment**

Meeting adjourned at 9:02 a.m.

Recorded and prepared by  
Sonja Butler, Planning Commission Secretary  
Planning and Economic Development Department,  
City of Saint Paul

Respectfully submitted,



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Donna Drummond  
Planning Director

Approved \_\_\_\_\_  
(Date)

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Anthony Fernandez  
Secretary of the Planning Commission

PED\Butler\planning commission\minutes\September 2, 2011



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## REVISED SITE PLAN REVIEW COMMITTEE

TUESDAY Sept 13, 2011

2nd Floor Conference Room

375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Mississippi Market Parking Lot expansion 622 Selby expand Market parking onto 633 Hague lot 633 Hague proposed house demo and rezone
10:20	<del>Ordway Center expansion (preliminary meeting)</del> <del>345 Washington Street</del> <del>Enlarge McKnight Theater space</del> <b>THIS ITEM IS OFF THE AGENDA</b>

To Applicants:

**You should plan to attend this meeting.**

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff.

The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

### **Parking**

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6<sup>th</sup> Street at Jackson.

To see a map of additional nearby parking ramps go to  
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or  
[mary.montgomery@ci.stpaul.mn.us](mailto:mary.montgomery@ci.stpaul.mn.us).



**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, September 8, 2011 3:30 P.M.  
City Council Chambers, Room #300  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF AUGUST 25, 2011, ZONING COMMITTEE MINUTES**

**SITE PLAN REVIEW** – List of current applications (Tom Beach, 651-266-9086)

**NEW BUSINESS**

- 1      11-264-892   Audrey and John Malone**  
Re-establishment of nonconforming use as a single-family home  
1517 Randolph Ave, NE corner at Saratoga  
B1  
Sarah Zorn    651-266-6570
  
- 2      11-265-812   Mississippi Market (Selby Ave)**  
Rezoning from RM2 Medium Density Multiple-Family Residential to B2 Community  
Business  
633 Hague Ave, between Dale and St. Albans  
RM2  
Kate Reilly    651-266-6618

**ADJOURNMENT**

**ZONING COMMITTEE MEMBERS:** Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



**CITY OF SAINT PAUL**  
Christopher B. Coleman, Mayor

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

DATE: September 9, 2011  
TO: Planning Commission  
FROM: Zoning Committee  
SUBJECT: Results of September 8, 2011 Zoning Committee Hearing

**NEW BUSINESS**

- |    |  | <u>Staff</u> | <u>Recommendation</u><br><u>Committee</u> |
|----|--|--------------|---|
| 1. | <b>Audrey and John Malone ( 11-264-892 )</b><br>Re-establishment of nonconforming use as a single-family home                                    | Approval     | Approval<br>( 6 - 0 )                     |
|    | <b>Address:</b> 1517 Randolph Ave<br>NE corner at Saratoga   |              |   |
|    | <b>District Comment:</b> District 14 had not responded   |              |   |
|    | <b>Support:</b> 0 people spoke, 1 letter   |              |   |
|    | <b>Opposition:</b> 0 people spoke, 0 letters   |              |   |
|    | <b>Hearing:</b> Hearing is closed  |              |   |
|    | <b>Motion:</b> Approval  |              |   |
| 2. | <b>Mississippi Market (Selby Ave) ( 11-265-812 )</b><br>Rezoning from RM2 Medium Density Multiple-Family Residential to<br>B2 Community Business | Approval     | Approval<br>( 6 - 0 )                     |
|    | <b>Address:</b> 633 Hague Ave<br>between Dale and St. Albans   |              |   |
|    | <b>District Comment:</b> District 8 made no recommendation   |              |   |
|    | <b>Support:</b> 1 person spoke, 2 letters  |              |   |
|    | <b>Opposition:</b> 0 people spoke, 1 letter  |              |   |
|    | <b>Hearing:</b> Hearing is closed  |              |   |
|    | <b>Motion:</b> Approval  |              |   |

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Audrey and John Malone, File # 11-264-892, have applied for a re-establishment of nonconforming use as a single-family home under the provisions of §62.109 of the Saint Paul Legislative Code, on property located at 1517 Randolph Ave, Parcel Identification Number (PIN) 102823230096, legally described as Sylvan Park Addition To Theci Ex Ave Lot 13 Blk 15; and

WHEREAS, the Zoning Committee of the Planning Commission, on September 8, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The property was built in 1912 as a single family home. In 2006 a portion of the home was converted into a salon. The salon closed in 2009 and the building was vacant until purchased by the applicant in February of 2011. According to the applicant, there were minimal alterations done to accommodate the salon and the structure retained most of its residential character. The application states that the proposed use as a residence would require few changes and is more viable than a conforming commercial use. The property lost its legal nonconforming status with the change to a conforming salon use in 2006. The applicant is proposing to re-establish the nonconforming single family residential use that existed prior to 2006.
2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. The structure was built as a single family home. Although a portion of the structure was renovated to accommodate a salon, the applicant has indicated that the majority of the original residential use is intact. A single family residential use at this location is a reasonable use of the structure.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met. The proposed use as a single family home is equally appropriate to the previous nonconforming use as a single family home.
  - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed single family residential use is in keeping with the surrounding mix of residential uses and the existing small scale commercial uses.

moved by \_\_\_\_\_

seconded by \_\_\_\_\_

in favor \_\_\_\_\_

against \_\_\_\_\_

- (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The Housing Chapter of the Comprehensive Plan supports investment in and preservation of the existing, stable neighborhoods and housing stock (p.13). In addition the District 14 Macalester-Groveland Community Plan states a goal of maintaining the single family character of the district (#8, p. 2).
- (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on August 17, 2011: 16 parcels eligible; 11 parcels required; 11 parcels signed.

*The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit.* This finding is met. The applicant has submitted sufficient documentation to substantiate the permit.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Audrey and John Malone for a re-establishment of nonconforming use as a single-family home at 1517 Randolph Ave is hereby approved.

city of saint paul  
planning commission resolution  
file number \_\_\_\_\_  
date \_\_\_\_\_

WHEREAS, Mississippi Market, File # 11-265-812, has applied for a Rezoning from RM2 Medium Density Multiple-Family Residential to B2 Community Business under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 633 Hague Ave, Parcel Identification Number (PIN) 022823110178, legally described as Holcombes Addition Tosaint P Lot 27 Blk 5; and

WHEREAS, the Zoning Committee of the Planning Commission, on September 8, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The purpose of this application is to re-zone 633 Hague Ave., currently in an RM2 Medium Density Multiple-Family Residential district, to B2, Community Business in order to provide expanded parking for Mississippi Market Co-op, which is adjacent to this property.
2. The proposed zoning is consistent with the way this area has developed. Selby is a commercial street and the corner of Selby and Dale, near where this property is located, has commercial uses on all four corners. Commercial properties which front Selby don't have much off-street parking to the rear, and rely on on-street parking. The Mississippi Market proposal is for a parking lot expansion to the rear and west of their building to accommodate their needs. Extending the B2 zoning to the west one additional parcel is consistent with the commercial character of the area.
3. The proposed zoning is consistent with the Comprehensive Plan. Selby is identified as a mixed use corridor on Future Land Use Map LU-B. Mixed-Use Corridors include areas where two or more of the following uses are or could be located: residential, commercial, retail, office, small scale industry, institutional, and open space uses. The uses in these corridors may be within a building or in buildings that are in close proximity to each other. This portion of Selby Avenue is served by transit, as are other Mixed-Use Corridors. The node at Selby and Dale is a particularly dense center of retail and other commercial uses. The Comprehensive Plan generally calls for balance and choice in transportation modes, efficient parking lot design, and voluntary reduction of surface parking lots. This development achieves some of the goals outlined in Strategy 2.8 of the Transportation Chapter by providing a space for a car-sharing program, bicycle facilities, and heavy landscaping.

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

4. The proposed zoning is an extension of the zoning for the existing parking lot for Mississippi Market. Consideration has been given that the proposed parking lot expansion is next to a residential property. The proposed site plan shows heavy landscaping to buffer the use from the adjacent residential property.
5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term *"applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and creates an island of nonconforming use within a larger zoned district, and which dramatically reduce the value for uses specified in the zoning ordinance of either the rezoned plot or abutting property."* This does not create an use inconsistent with the surrounding uses (additional parking and residential) nor does it create an island of non-conforming use and will not dramatically reduce the value of the lot or abutting property.
6. The petition for rezoning was found to be sufficient on August 19, 2011: 80 parcels eligible; 54 parcels required; 66 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of Mississippi Market for a Rezoning from RM2 Medium Density Multiple-Family Residential to B2 Community Business for property at 633 Hague Ave be approved.





CITY OF SAINT PAUL  
*Christopher B. Coleman, Mayor*

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

DATE: September 8, 2011

TO: Planning Commission

FROM: Neighborhood Planning Committee

RE: Review of Ordinance 11-96, amending the Shepard Davern Residential Redevelopment Overlay District (Sec. 67.303)

#### ISSUE

Councilmember Pat Harris introduced Ordinance 11-96 on August 24, 2011, amending a regulation in the Shepard Davern Residential Redevelopment Overlay District found in Sec. 67.303(c)(2) of the zoning code. The regulation currently requires a minimum site size of two (2) acres. The proposed amendment would reduce the minimum site size to one (1) acre.

The ordinance has been referred to the Planning Commission for review, report, and recommendation as required by Minnesota Statutes 462.357, Subd. 2(b). See Attachment 1 for a copy of the ordinance.

#### BACKGROUND

The **Shepard Davern Gateway Small Area Plan** was developed by a task force with members from the Planning Commission and the community, who started work in 1997. A summary of the completed plan was adopted by the City Council as an addendum to the Comprehensive Plan on September 22, 1999. See Attachment 2 for a copy of the plan summary.

The plan encompasses an area between West Seventh Street (Fort Road) and Shepard Road that began at the intersection of Highway 5/W. 7<sup>th</sup> Street and Shepard Road on the west and ended at Rankin Street on the east.

The plan's vision for the redevelopment of the residential areas east of Davern is to create "urban villages, green streets and commons, with up to 1,000 new units of housing." Goals for other plan areas include improvements to Shepard Road and new mixed use development in the area along and west of Davern.

To help implement this vision, two overlay districts were created. The Shepard Davern Commercial Redevelopment Overlay District (Sec. 67.302, SDC district) covers the western portion of the plan area, while the Shepard Davern Residential Redevelopment Overlay District (Sec. 67.303, SDR district) is to the east. The boundary line between the two is roughly at the western edge of the Sibley Manor residential development. (See Attachment 3 for the map and a copy of the overlay districts.)

Council on appeal.) Neighbors of the proposed development then filed suit, and the district court has recently returned the variances to the City Council for revised findings.

In conclusion, no development has met the 2 acre minimum parcel size required in the SDR overlay district since it was instituted. Other SDR standards have been met by one or both of the two completed developments. While the lack of activity can be traced in part to the recent housing market, only limited development occurred in the SDR area even during a strong residential market.

#### NEIGHBORHOOD PLANNING COMMITTEE RECOMMENDATION

The Committee recommends approval of the attached resolution finding that Ordinance 11-96 amending the minimum site size in the SDR overlay district is consistent with the Shepard Davern Gateway Area Plan Summary, an addendum to the Comprehensive Plan, and goes further to recommend that there be no minimum site size of any kind in the SDR overlay district. This recommendation is based on changing market conditions, the lack of development in the SDR area during the 12 years the overlay district has been in effect, and the fact that the only two residential projects completed since the establishment of the overlay have received variances of the site size regulation. The Committee also finds no clear rationale for the minimum site size requirement in either the plan or the overlay district ordinance. In addition, a rationale for the difference in site size minimums between the two overlay districts is also missing.

The Committee further recommends as part of the resolution that, when the Shepard Davern Gateway Small Area Plan is updated, the review should include an analysis of the two overlay districts, their effectiveness in promoting implementation of the plan vision, and whether further changes are appropriate. Since the plan was adopted, the zoning code has been amended to include a number of Traditional Neighborhood zoning districts as well as stronger design guidelines. It may be that these overlay districts can be amended significantly or even deleted.

- a. A cornice or material trim line shall be established defining the building base as approximately the first floor;
- b. A cornice line or eave line shall be established defining the top of the building;
- c. The building base shall be faced in stone, masonry, or a material equal or better in quality;
- d. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of the existing residential areas; materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood composite materials, tile panels and reflective materials are prohibited;
- e. Buildings shall avoid blank street walls.
- f. Where possible the first floor facade facing a public street shall have windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited.
- g. Trash receptacles and service areas or entries shall be screened with the same materials used on the building exterior.
- h. Chain link and barb wire fencing is prohibited.

## **Section 2.**

This ordinance shall take effect thirty (30) days after its passage, approval, and publication.



# City of Saint Paul

City Hall and Court House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Master

File Number: Ord 11-96

File ID: Ord 11-96

Type: Ordinance

Status: Second Reading

Version: 1

Contact  
Number:

In Control: City Council

File Created: 08/24/2011

File Name:

Final Action:

**Title:** Amending Legislative Code § 67.303(c)(2), pertaining to building regulations in the Shepard Davern residential redevelopment overlay district, by reducing the minimum site size development requirement to one acre, for the purpose of making the residential site size requirement consistent with the site size requirement for the Shepard Davern commercial overlay district under Leg. Code § 67.302(e)(1)(b).

Notes:

Sponsors: Harris

Enactment Date:

Attachments:

Financials Included?:

Contact Name:

Hearing Date:

Entered by: kathryn.burger@ci.stpaul.mn.us

Ord Effective Date:

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	08/24/2011	Laid Over to Second Reading	City Council			Pass
1	City Council	09/07/2011					

### Text of Legislative File Ord 11-96

Amending Legislative Code § 67.303(c)(2), pertaining to building regulations in the Shepard Davern residential redevelopment overlay district, by reducing the minimum site size development requirement to one acre, for the purpose of making the residential site size requirement consistent with the site size requirement for the Shepard Davern commercial overlay district under Leg. Code § 67.302(e)(1)(b).

**Statement of Legislative Intent.** Pursuant to Minn. Stat. § 462.357, Subd.2(b), the Council of the City of Saint Paul desires to amend a zoning ordinance for the purpose of encouraging residential development opportunities in the Shepard Davern residential overlay district. Accordingly, the Council, following the procedure for adopting ordinances under section 6.05 of the City Charter, hereby initiates the following amendment to the zoning code and refers the same to the planning commission in order that the commission may study, report, and prepare a recommendation

- h. Chain link and barb wire fencing is prohibited.

**Section 2.**

This ordinance shall take effect thirty (30) days after its passage, approval, and publication.

## Area Plan Summary

### The Shepard Davern Gateway Small Area Plan

Addendum to The Comprehensive Plan for Saint Paul

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Recommended by the Planning Commission July 23, 1999

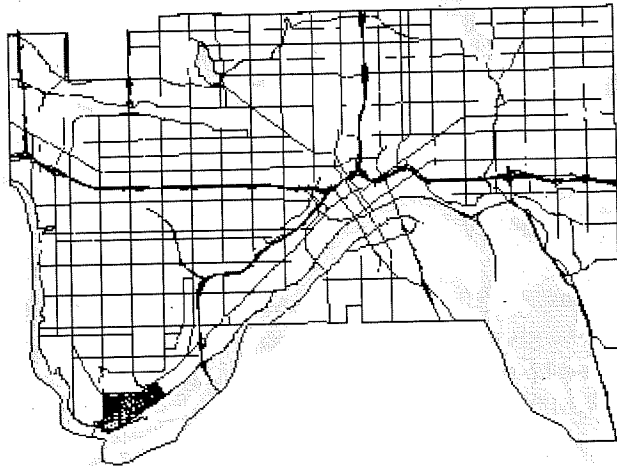
Adopted by the City Council September 22, 1999

*This summary appends to the Comprehensive Plan the vision of The Shepard Davern Gateway Small Area Plan for redevelopment of the historic Shepard-Davern area. This includes adoption of a proposed land use map as a further refinement of the City's Land Use Plan for the area. The Plan identifies means for implementation in this area of a number of Comprehensive Plan policies, including:*

- *Increased housing and transit-supportive development*
- *A re-designed entry to the city at the river*
- *Integrated neighborhood development and improved connections*
- *High quality built environment*
- *Partnership action: City, neighborhood, private and non-profit sectors*

#### **Location**

The Shepard Davern area is bounded by the Mississippi River on the south and west, and the Highland Park bluffs on the north.





existing retail and creating new spaces for informal community gathering, such as plazas and shopping mews.

Eventual mixed-use development on the southeast side of West Seventh will help strengthen the district as a community shopping area.

(insert graphic - page 18)

#### 4. New Housing

Up to 1,000 new units of housing will be built, primarily within the existing neighborhoods east of West Maynard Drive. New housing types will include apartment buildings, rowhouses, and condominiums, of a diversity and quality consistent with the pattern established by newer housing in the area. Substantial, high-quality multi-family development would face Shepard Road. A new park/playground is included in the area to serve the larger population.

The area's current economic mix is an asset that should be maintained as new housing is constructed. New housing built in the area should provide for a range of economic levels as required by the City's housing policy. The high component of units affordable for households with incomes below 30 percent of the median already present (at least 25 percent of area housing) should be taken into account; it would be appropriate to emphasize the affordable needs above this level. This assumes effective continued maintenance of the present affordable units at present cost levels; units lost should be replaced with units at similar cost. Besides meeting affordability objectives, new housing should respond to the market interest in townhouse and condominium alternatives and build on the success of the newer housing options already available in the area.

(insert graphic - page 20)

#### 5. Edgumbe Parkway District

A new mixed-use business park is proposed for the entire area west of Sibley Manor from Shepard Road to West Seventh Street. Office-commercial, retail, hospitality and residential uses are to be included, replacing airport-related parking as well as the single family neighborhood west of Davern Street. New buildings would be encouraged to locate retail or small commercial tenants on the ground floor, with active shop windows and streetfront entrances. Davern would be strengthened as a pedestrian connection to the Fort Road shopping area, with curbs, sidewalks, lighting, and landscaping.

Extension of Edgumbe Parkway across West Seventh Street is proposed to improve access to the new business park and provide a central interior focus for the area, connecting with Shepard Road on the east. An at-grade intersection with West Seventh Street is proposed to help establish a slower city-street character for West Seventh Street. However, the plan specifies that a grade-separated alternative should be evaluated as well and the at-grade solution should only be implemented if it is clear that traffic impacts are satisfactory. Edgumbe Parkway will be richly

and strengthen the means for effective enforcement.

- Support privately-initiated redevelopment where proposals are consistent with the plan, consistent with design guidelines and objectives for a high quality environment, provide acceptable and desirable outcomes for residents displaced, and consistent with city policies and prudent use of public resources.
- Design and construct improvements for the West Seventh streetscape and pedestrian areas, realignment of Edgumbe Parkway, and upgrades to Davern Street.
- Long range: initiate design and planning work for major reconstruction of Shepard Road according to plan.

### **Planning Commission Findings**

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In general, the Planning Commission finds *The Shepard Davern Gateway Small Area Plan* to be highly consistent with the City's Comprehensive Plan and associated city development policies.

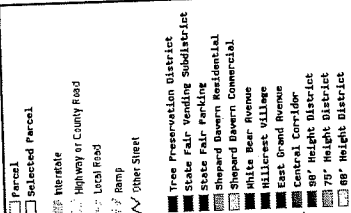
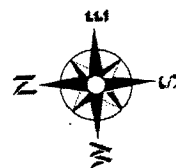
Implementation of development envisioned on Shepard Road sites--hotel and office as well as housing--may be difficult because of the 40-foot height limit established by the river corridor ordinance. The 40-foot height limit may prevent development that can meet the quality standards desired, including parking enclosed within the structure and extensive landscaped open space. In the development of zoning regulations to implement the plan, consideration should be given to allowance of limited additional height as a special condition use with strong conditions and provisions for review that would ensure development that contributes positively to environmental quality for the corridor and to the plan vision. Height regulation is one aspect of river corridor development that will be reviewed in the update of the Saint Paul River Corridor Plan.

### **Planning Process**

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*The Shepard Davern Gateway Small Area Plan* was prepared by a task force established by the Highland District Council (District 15). Membership included members of the Highland District Council, area residents and business owners, the Saint Paul Parks Commission, the Community Service Agency, and the West End Business and Professional Association. The small area task force was assisted throughout the planning process by staff from City of Saint Paul, Highland District Council, and urban design and economic analysis professionals from A Studio, Close Landscape Architecture, and Quam Sumnicht & Associates. The small area planning effort was paralleled by the work of the Gateway Task Force, which is working on the planning, design, funding and implementation of specific improvements for the Gateway area and the West Seventh Street Corridor from the airport to I-35. The small area plan was recommended by the task force on April 19, 1999.

## ATTACHMENT 3



THIS IS NOT A LEGAL DOCUMENT

**SALES REPRESENTATIVE**

PART II - LEGISLATIVE CODE  
TITLE VIII - ZONING CODE  
Chapter 67. - Zoning Code—Overlay Districts  
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT

**Sec. 67.302. - SDC Shepard Davern commercial redevelopment overlay district.**

(a) *Purpose.* The SDC Shepard Davern commercial redevelopment district is an overlay district designed to promote the redevelopment of the area into a mixed use urban district combining commercial uses, hospitality facilities and housing. Redevelopment in the district shall be designed to enhance the livability of the area, to reduce adverse traffic and parking conditions and to create building uses and space consistent and compatible with the architecture of the city and the scenic features of the area. The district is also designed to increase green space and maximize vegetative plantings throughout the district and provide tree lined corridors along West Seventh, Shepard Road and the proposed Edgcumbe Parkway.

(b) *Established boundaries.* The boundaries of the SDC Shepard Davern commercial redevelopment overlay district shall be the area shown on the official zoning map.

(c) *Permitted uses.* In addition to the uses permitted within the primary zoning district, the following uses shall be permitted in the SDC Shepard Davern commercial redevelopment overlay district:

(1) Hotels and hotel conference facilities. All hotels shall be at least three (3) stories in height and have a minimum of one hundred (100) rooms. Patron access to hotel rooms shall only be provided by a central interior corridor.

(2) Higher density multiple family housing with or without mixed commercial uses.

(d) *Prohibited uses.* The following uses shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district:

(1) Automobile sales and service centers, auto convenience markets, auto service stations and auto specialty stores. Exceptions are those auto convenience markets and auto service states that are not freestanding and are integrated into either hotel, office, or parking ramp structures.

(2) Freestanding and drive thru fast food restaurants.

(3) Recycling drop off stations.

(4) Currency exchange businesses.

(5) Pawn shops.

(6) Community and transitional residential facilities.

(7) Veterinary clinics.

(8) Cellular telephone antennas not located on an existing structure.

(9) Freestanding liquor establishments.

(e) *Building regulations.* The following building regulations shall pertain to the SDC Shepard Davern commercial redevelopment overlay district.

(1) Minimum redevelopment site size shall be as follows:

a. The area bounded by West 7th Street, Davern Street and Norfolk Avenue shall

PART II - LEGISLATIVE CODE  
TITLE VIII - ZONING CODE  
Chapter 67. - Zoning Code—Overlay Districts  
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY  
DISTRICT

follows (refer to illustration or diagram on file in the office of the city clerk):

- a. For buildings greater than three (3) stories, a cornice line shall be established defining the building base, located approximately one-third ( $1/3$ ) of the distance from where the building meets the ground to the top of the building;
  - b. A cornice line shall be established defining the top of the building;
  - c. Cornices shall be allowed to project over the public right-of-way line, but not more than fifteen (15) inches;
  - d. The building base shall be faced in stone, brick/masonry, or a material equal or better in quality; no cement block is allowed.
  - e. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of Fort Snelling (stone, brick/masonry, architecturally finished precast concrete, stucco or similar materials equal or better in quality). Materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood or wood composite materials, tile panels and reflective materials are prohibited;
  - f. At least twenty-five (25) percent of the first floor facade of any nonresidential use that faces a public street shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited;
  - g. Windows should be set into the exterior wall, with no more than forty (40) percent of the total exterior envelope being glass; continuous bands of windows are prohibited.
- (9) Trash receptacles and storage shall be located within all buildings.
  - (10) Outdoor storage of products, equipment and materials is prohibited.
  - (11) Chain link and barb wire fencing are prohibited.
- (f) *Prohibited on-premise signs.* The following on-premise business signs shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district:
- (1) Freestanding signs with the exception of ground signs that have two (2) pillars and a maximum height of six (6) feet. Ground signs shall be built with the same exterior building materials as the building and shall not be illuminated with back lighted panels.
  - (2) Backlighted awning signs.
  - (3) Projecting signs.
  - (4) Flashing signs and electronic message signs.
  - (5) Temporary or portable signs, except that merchant sign placards which sit on the sidewalk and are stored indoors are permitted during business hours as long as the sidewalk is not blocked or reduced to less than five (5) feet.
  - (6) Roof signs.

PART II - LEGISLATIVE CODE  
TITLE VIII - ZONING CODE  
Chapter 67. - Zoning Code—Overlay Districts  
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY  
DISTRICT

b. For commercial or retail uses, required parking may be reduced by the establishment of a parking district for the purposes of sharing parking within one shopping or entertainment area; parking areas must be clearly identified and provided with dedicated pedestrian links to the street; the establishment of a parking district to allow a reduction in parking required shall be subject to review and approval by the planning commission. The development of shared parking is encouraged subject to the provisions of section 63.200.

(3) Parking areas fronting along public street shall comply with the following:

a. A landscaped setback area of at least fifteen (15) feet on West 7th Street and Davern Street, twenty (20) feet on Edgcumbe Parkway, twenty five (25) feet on Shepard Road and containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and public sidewalk. Landscaped areas shall be irrigated by underground watering systems. The city zoning administrator may approve the substitution of a decorative fence, masonry wall, berm or similar architectural feature in lieu of up to sixty (60) percent of planted materials. Along West 7th Street, there shall be wrought iron fencing three (3) feet high.

b. One canopy tree at least three (3) inches in caliper and one evergreen tree at least two and one-half (2½) inches in caliper shall be provided for every thirty (30) feet of parking lot frontage. Trees shall be planted in the landscaped area between the parking area and sidewalk.

(4) For all parking lots which exceed one hundred (100) cars, an area equal to a minimum of ten (10) percent of the paved parking area shall be provided for interior landscaped islands. For all parking lots with thirty-five (35) to one hundred (100) cars, an area equal to a minimum of five (5) percent of the paved parking area shall be provided for interior landscaped islands. Interior landscaping shall be not less than forty (40) percent evergreens and shall include canopy trees in islands which exceed one hundred (100) square feet. Parking lot trees must be selected for heat, deicing salt, soil compaction, and drought tolerance and are to have a ground layer of organic mulch and/or massing of shrubs or living ground covers which will be managed to tolerate site conditions.

(5) Parking structures fronting along public streets shall comply with the following:

a. Durable maintainable materials (stone, brick, architecturally finished precast concrete or similar materials equal or better in quality) shall be used for parking structure exteriors.

b. A landscaped setback area of at least fifteen (15) feet on West 7th Street and Davern Street, twenty (20) feet on Edgcumbe Parkway, and twenty-five (25) feet on Shepard Road shall be provided between the parking structure and public sidewalk. Landscaped areas shall be irrigated by underground watering systems.

c. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2½) inches in caliper shall be provided for every thirty (30) feet of parking structure frontage. Trees shall be planted between the parking structure and the sidewalk, or between the sidewalk and the street.

(l) *Landscaping regulations.*



PART II - LEGISLATIVE CODE  
TITLE VIII - ZONING CODE  
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ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT

- b. A cornice line or eave line shall be established defining the top of the building;
  - c. The building base shall be faced in stone, masonry, or a material equal or better in quality;
  - d. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of the existing residential areas; materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood composite materials, tile panels and reflective materials are prohibited;
  - e. Buildings shall avoid blank street walls.
  - f. Where possible the first floor facade facing a public street shall have windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited.
  - g. Trash receptacles and service areas or entries shall be screened with the same materials used on the building exterior.
  - h. Chain link and barb wire fencing is prohibited.
- (d) *Public sidewalks.* All frontages along public streets shall have minimum six-foot sidewalks and tree-planted boulevards, with street trees spaced an average of one (1) every thirty (30) feet. Spacing and growing medium for the boulevard trees should be designed for plant health. Any such trees must be selected for heat, deicing salt, soil compaction and drought tolerance. Along West 7th Street brick pavers shall be integrated into the sidewalks at intersection corners.
- (e) *Accessory parking regulations.* The following accessory parking regulations shall apply to the SDR Shepard Davern residential redevelopment overlay district:
- (1) *Location.* All on site accessory parking areas and structures shall be located to the side or rear of the principal building or use served.
  - (2) Parking areas fronting along public streets shall comply with the following:
    - a. A landscaped front setback area of at least twenty-five (25) feet containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and the public sidewalk. Landscaped area shall be irrigated by underground watering systems. The city zoning administrator may consider the substitution of a decorative fence, masonry wall, berm or similar architectural feature in lieu of planted materials.
    - b. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2 ½) inches in caliper shall be provided for every thirty (30) feet of parking lot frontage. Trees shall be planted in the landscape between the parking area and sidewalk.
  - (3) Parking structures fronting along public streets shall comply with the following:
    - a. Durable maintainable materials (stone, brick, architecturally finished precast concrete or similar materials equal or better in quality) shall be used for parking structure exteriors.
    - b. A landscaped setback area of at least twenty-five (25) feet shall be provided

city of saint paul  
planning commission resolution  
file number  
date

Shepard Davern Residential Redevelopment Overlay District Amendment

WHEREAS, the Shepard Davern Gateway Small Area Plan Summary was adopted by the Saint Paul City Council as an addendum to the Saint Paul Comprehensive Plan on September 22, 1999; and

WHEREAS, two zoning overlay districts were also established at the time of plan adoption: the SDC Shepard Davern Commercial Redevelopment Overlay District and the SDR Shepard Davern Residential Redevelopment Overlay District, codified in Legislative Code sections 67.302 and 67.303 respectively; and

WHEREAS, the Shepard Davern plan and overlay districts are now more than ten years old and have been identified as needing review and updating; and

WHEREAS, the goal of the Shepard Davern Residential Redevelopment Overlay District (SDR) as stated in Sec. 67.303(a) of the Legislative Code is "to promote the redevelopment of the area into an urban village residential district by mixing attractive examples of higher density multiple family housing with pedestrian-friendly streets and community amenities"; and

WHEREAS, Section 67.303(c)(2) requires a minimum site size of two (2) acres for residential redevelopment in the SDR overlay district, while, in contrast, the SDC overlay district permits development on a site with a minimum of one (1) acre in Sec. 67.302(e)(1)(b) and Traditional Neighborhood districts with the same urban village goal have no similar minimum site size; and

WHEREAS, the only two completed developments in the area covered by the SDR overlay district since its inception have received variances of the minimum site size requirement; and

WHEREAS, the City Council has introduced Ordinance 11-96 to reduce the minimum site size in the SDR overlay district to one (1) acre, consistent with the minimum site size in the SDC overlay district and referred the ordinance to the Planning Commission for study, report, and recommendation; and

WHEREAS, the Commission finds no clearly articulated rationale for the minimum site size standard, and even a one acre minimum site size is too large for finer grain, smaller scale development that may be more in keeping with the goal for a pedestrian-friendly urban village;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that Ordinance 11-96 amending the minimum site size in the SDR overlay district to one (1) acre is consistent with the goals and vision of the Shepard Davern Gateway Area Plan Summary, an addendum to the Comprehensive Plan, but recommends deleting the requirement entirely rather than reducing it as proposed in Ordinance 11-96; and

BE IT FURTHER RESOLVED, that the Planning Commission directs staff to include an analysis of the effectiveness of both Shepard Davern overlay districts in furthering the vision of the Shepard Davern Gateway Small Area Plan when it is updated.

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_



**CITY OF SAINT PAUL**  
*Christopher B. Coleman, Mayor*

*25 West Fourth Street  
Saint Paul, MN 55102*

*Telephone: 651-266-6700  
Facsimile: 651-228-3220*

**Date:** September 7, 2011  
**To:** Planning Commission  
**From:** Neighborhood Planning Committee  
**Subject:** Solar Energy Systems Zoning Text Amendments - Public Hearing Testimony and Recommendations

### **Background**

In 2008 the cities of St. Paul and Minneapolis received a U.S. Dept. of Energy Solar America Cities grant to identify strategies that will result in solar-friendly policies, practices and regulations. Policy LU-3.19 in the Saint Paul Comprehensive Plan calls for study of "tools, techniques, and regulations to facilitate increased usage of solar energy systems, either as standalone systems or as supplements to conventional energy sources." § 60.103(k) of the Zoning Code states that a purpose of the Zoning Code is "to promote the conservation of energy and the utilization of renewable energy resources."

The Zoning Code treats solar energy systems as a permitted accessory use in all zoning districts under the definition of *accessory use* in § 65.910. The code does not separately list solar energy systems as an accessory use, just as it does not separately list air conditioners, ventilation equipment, and similar equipment. A solar energy system mounted on a building is subject to the dimensional standards that apply to the building. A freestanding solar energy system is subject to the dimensional and locational standards that apply to an accessory structure.

This current practice in Saint Paul generally appears to be a good balance between providing for solar energy systems and adequately regulating them. It does not seem to be a significant barrier to use of solar energy systems. Neither is there evidence that solar energy systems installed under existing regulations are inconsistent with the intent and purpose of the Zoning Code to promote and protect the public health, safety and general welfare.

Before permits are issued for installation of a solar energy system in Saint Paul, the plans and construction drawings are reviewed by Department of Safety and Inspections plan review and zoning staff and the structural engineer to ensure code compliance. Required documentation includes a building permit application, engineering plans showing the framing system and how it is attached to a building, location on a building, elevations, and a site plan if it is located in a yard rather than on a building. A separate electrical permit is required for photovoltaic systems, and a mechanical permit is required for thermal systems.

Last spring we reviewed zoning regulations pertaining to solar energy systems in the Saint Paul code, a Minnesota model ordinance, Minneapolis and other cities, and recommended amendments that may improve or clarify the Saint Paul code.

On July 8, 2011, the planning commission held a public hearing on draft solar energy systems zoning text amendments that clarify and add some detail to the regulations that apply to solar energy systems while maintaining the current general approach. Three people testified at the public hearing and also submitted written comments. In addition, written comments were received from two other interested parties. This memo summarizes the public hearing testimony, reviews research and analysis on the issues raised, and presents comments and recommendations in response to the testimony for the commission to consider as it makes its recommendations on the proposed solar energy systems zoning code text amendments.

### **Public hearing testimony issues, analysis, and recommendations**

Public hearing testimony on the draft solar energy systems zoning code text amendments focused on three issues: visual impact, height, and setbacks of solar installations.

#### **1. Visual impacts**

##### **Summary**

The public hearing draft amendments delete the word *mechanical* in § 63.110(e), and further amends § 63.110(e) by changing the word *visibility* to *visual impact* as follows:

##### **Sec. 63.110. Building design standards.**

- (e) The ~~visibility~~ *visual impact* of rooftop ~~mechanical~~ equipment shall be reduced through such means as location, screening, or integration into the roof design. Screening shall be of durable, permanent materials that are compatible with the primary building materials. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.

The amendment would apply this general design standard for rooftop equipment to solar energy systems that are not mechanical systems. It would also help make it clear that § 63.110(e) doesn't require screening to reduce *visibility* of rooftop equipment, but rather requires reducing the *visual impact*, which can be done through such things as location and integration into the roof design as well as by screening.

##### **Testimony**

Ralph Jacobson, owner of Innovative Power Systems and president of Minnesota Solar Energy Industries Association, noted that solar panels are not intrinsically unsightly, what people think of as nice looking can be fairly subjective, and for solar panels it's more a matter of how they are deployed.

Michael Russelle, 1480 Chelmsford, questioned how and why screening would be applied to reduce the visual impact of solar panels on a residential building.

Terry Brueck, 2279 Summit, said § 63.110(e) should allow for rooftop solar arrays to be south facing, clarifying that "south facing collectors are allowed in the roof design, including south facing panels at right angles against the roofline."

James Darabi, Solar Farm, LLC, St. Paul, expressed concern that electrical conduits and insulated solar fluid pipes (in the case of solar hot water) should be allowed on primary building facades, that it can sometimes be difficult and very expensive to put them elsewhere, and they can look much like rain gutter downspouts.

Daniel Williams, owner of Powerfully Green, a solar energy system installer, said he assumes that the language in § 63.110(e) about "mechanical equipment such as ductwork" on primary building facades does not apply to solar plumbing and solar electric runs, which are similar to Xcel electric runs and downspouts commonly on primary building facades.

##### **Analysis and response**

The draft amendment to § 63.110(e) addresses how solar panels are deployed, with a fair amount of flexibility. It does not require screening of rooftop solar panels, but rather requires reducing the *visual impact* of rooftop solar panels, which can be done through such things as location and integration into the roof design as well as by screening.

Most cities do not require screening of rooftop solar installations. The MN Model Sustainable Development Ordinance recommends that active solar systems "shall be designed to blend into the architecture of the building or be screened from routine view from public rights-of way other than alleys." An apartment building with a flat roof may have a parapet that screens a rooftop solar energy system and is all that is necessary to reduce its visual impact. In other cases, solar panels may be integrated into the roof design to blend into the architecture of the building, with no screening at all.

For historic structures, the National Trust for Historic Preservation generally recommends taking each installation application case by case and looking at screening, minimizing the visual effect of the installation, and using materials that appear similar to others in use on the structure or in the area. For cities with certified local heritage preservation programs, this review is best done by the Heritage Preservation Commission, which is what is presently done in Minneapolis and Saint Paul.

The draft amendment to § 63.110(e) may prevent solar panels from being mounted at right angles to the roof on the front of a house if it can't be done in a way that is integrated into the roof design. But it would allow solar panels to be mounted at right angles to a roof on the back of a house or on an accessory structure in locations where they would have less visual impact.

The current language in § 63.110(e) about "mechanical equipment such as ductwork" on primary building facades does not apply to solar plumbing and solar electric runs, just as it does not apply to Xcel electric runs or rain gutter downspouts. There is no proposed amendment to this language, and it would continue not to apply to solar plumbing and solar electric runs.

#### Recommendation

Amend § 63.110(e) as proposed in the public hearing draft amendments.

## **2. Height**

### Summary

The public hearing draft amendments, in proposed new Sec. 65.921, solar energy system, contain specific regulations both for the height of building mounted solar energy systems and the height of freestanding solar energy systems. Building mounted systems would generally be treated as part of the building, subject to the dimensional standards that apply to the building itself, provided that building mounted systems in residential districts would not be allowed to extend above the ridge of a gable, gambrel, hip or mansard roof, and would not be allowed to extend more than 12 feet above the surface of a flat or shed roof. Freestanding systems would be subject to the height standards for accessory buildings, provided that in residential districts they would have a height limit of 12 feet within 10 feet of a property line, with additional height equal to additional setback to a maximum height of 20 feet. There was public testimony about the impact of these proposed height restrictions on the practical viability and economic feasibility of solar energy installations, with suggestions for changes to the draft regulations to facilitate the increased usage and viability of solar energy systems as called for in the Comprehensive Plan, consistent with the purpose of the Zoning Code and the Solar America Cities grant.

### Testimony

Ralph Jacobson, owner of Innovative Power Systems and president of Minnesota Solar Energy Industries Association, noted that limiting the height of building mounted systems in residential districts to the height of the roof ridge may be appropriate in some cases and not in others.

Daniel Williams, owner of Powerfully Green, talked about the necessity of meeting program guidelines for receiving state rebates and utility incentives, including size, angles, and southern orientation. Some cities allow additional height and going slightly above the roof ridge in some cases, particularly toward the rear of buildings and in such places as on accessory structures in rear yards that are less visible, which can facilitate meeting the program guidelines.

Terry Brueck, 2279 Summit, suggested that new § 65.921(a) should "allow solar panels on roofs in the rear of the property to extend above the ridge if not visible from the sidewalk on the front side of the property," . . . "especially allow for roof mounted arrays on garages (or other out buildings on the rear of the property) to extend above the ridge. . .," and "include allowances for solar panels that must be facing south." He said increasing the maximum height of freestanding systems from 20 to 25 feet can improve the payback period of a system by as much as 30%.

James Darabi, Solar Farm, LLC, St. Paul, said a height of at least 15 feet (rather than 12 feet) is needed to provide for standard panels, three feet for snow shed, and optimal tilt angles for our latitude. He also expressed concern about the proposed 20-foot maximum height for freestanding systems in residential districts, and said a 24-foot height would allow for an economical panel size and wiring eight feet off the ground.

#### Analysis and response

The Minnesota model ordinance recommends that building mounted solar energy systems not exceed the height limit for the district. This allows more height for solar systems in zoning districts with higher height limits. In commercial and industrial districts it also allows more height for solar panels that are set back more, thereby limiting their visual impact. The draft amendments are consistent with this.

Minneapolis and Seattle allow solar energy systems to extend above the building height limit for the district. Minneapolis has a requirement that building mounted systems be setback one (1) foot from the exterior perimeter of a roof for every foot it extends above the parapet wall or roof surface, exempting systems that extend less than three feet above the roof surface. This standard reduces the visual impact of solar energy systems by limiting height at the edge of a roof where it would be most visible, and allows taller, more efficient and economically feasible systems further back from the roof edge, facilitating increased usage of solar energy systems as called for in the Comprehensive Plan.

Minneapolis allows building mounted solar energy systems to extend up to three feet above the roof ridge. Allowing this in residential districts in St. Paul for accessory buildings (which can't be in a required yard except a rear yard) and for principal structures when not readily visible from the front property line would help to facilitate the increased usage of solar energy systems as called for in the Comprehensive Plan, consistent with the purpose of the Zoning Code and the Solar America Cities grant.

The Minnesota model ordinance currently recommends that the height of freestanding systems not exceed 15 feet when oriented at maximum tilt, but based on experience and feedback the MPCA is planning to change this to 20 feet. Minneapolis and Ithaca have a 20 foot height limit. Roseville, CA simply limits freestanding systems to the height standards of the district.

Saint Paul limits accessory buildings in residential districts to 15 feet in height; building height is measured to the average height between eaves and roof ridge, so the ridge of accessory building roofs may commonly be 20 to 22 feet high. Accessory buildings in commercial and industrial districts are subject to the same height standards as principal structures. Allowing freestanding solar energy systems in residential districts to be up to 15 feet high within 10 feet of an interior property line and up to 25 feet high with additional setback equal to the additional height would be consistent with this and with standards in other similar cities.

#### Recommendation

Amend proposed new Sec. 65.921, solar energy system, to read as follows:

#### **Sec. 65.921. Solar energy system.**

##### Standards and conditions:

(a) Building mounted systems shall be subject to the dimensional standards that apply to the building, provided that the height standards for building mounted systems in residential districts shall be as follows:

- (1) The system shall extend no more than three (3) feet above the surface of a roof at its exterior perimeter, and shall be set back at least one (1) foot from the exterior perimeter for every additional foot that the system extends above the height of the roof at its exterior perimeter;
- (2) The system shall not extend above the ridge of a gable, gambrel, hip or mansard roof, except that it may extend up to three (3) feet above the ridge of an accessory building, and



may extend up to three (3) feet above the ridge of a principal building when not readily visible from the front property line.

(b) Freestanding systems shall be treated as accessory buildings for the purpose of maximum height, maximum lot area coverage, and location requirements; provided that freestanding systems in residential districts shall not exceed fifteen (15) feet in height within ten (10) feet of an interior property line, except for a property line along an alley, with additional height equal to additional setback from property lines permitted to a maximum height of twenty-five (25) feet.

### **3. Setbacks**

#### Summary

The public hearing draft amendments, in proposed new Sec. 65.921, solar energy system, use the building setback standards that apply to the building for solar energy systems mounted on a building, and apply setback and locational standards for accessory buildings to freestanding solar energy systems. For freestanding systems in residential districts, the public hearing draft relates setback to system height, with a height limit of 12 feet within 10 feet on a property line and additional height equal to additional setback to a maximum of 20 feet.

#### Testimony

Terry Brueck, 2279 Summit, suggested changing the setback requirement that relates to the height of freestanding systems in residential districts to pertain just to setbacks from adjacent residential property.

Daniel Williams, owner of Powerfully Green, said the setback requirement that relates to the height of freestanding systems in residential districts should not apply to setbacks along alleys, where systems for "solar car ports" and on garages would need to be more than 12 feet high.

#### Analysis and response

The setback requirements for buildings help to ensure adequate light and air to adjacent property, a purpose of the Zoning Code. § 63.501(b) of the code requires that "accessory buildings, structures or uses shall not be erected or established in a required yard except a rear yard. All of the compared cities prohibit freestanding solar energy systems in a required front yard and apply the requirements for accessory uses. Allowing taller freestanding solar energy systems along alleys would help to facilitate the increased usage of solar energy systems as called for in the Comprehensive Plan, consistent with the purpose of the Solar America Cities grant and stated purposes in the Zoning Code both to ensure adequate light and air to adjacent property and "to promote the conservation of energy and the utilization of renewable energy resources."

#### Recommendation

Amend proposed new Sec. 65.921(b) to apply the setback requirement that relates to the height of freestanding systems in residential districts only to setbacks from interior property lines, except for property lines along an alley, as in revised draft Sec. 65.921(b) above.

### **Recommendations**

The Neighborhood Planning Committee recommends that solar energy systems continue to be permitted in all zoning districts as an accessory use, with building mounted systems subject to the dimensional standards that apply to the building, and freestanding systems subject to the standards that apply to accessory structures. "Solar energy system" should be specifically added to the accessory uses listed under Article VII, 65.900, Accessory Uses, to clarify this, and to clarify that ground-mounted freestanding solar energy systems are treated as accessory *buildings* for the purpose of maximum height, maximum lot area coverage, and location requirements. The committee recommends the language in proposed new Sec. 65.921 below, responding to issues raised and

suggestions made in public hearing testimony, to add some practical detail to solar energy system regulation in residential districts and help facilitate the increased usage of solar energy systems as called for in the Comprehensive Plan, consistent with the purpose of the Solar America Cities grant and stated purpose in the Zoning Code "to promote the conservation of energy and the utilization of renewable energy resources."

The committee also recommends consideration of the double underlined sentence in the draft amendments below, so that solar energy systems on roofs of traditional narrow commercial buildings immediately next to other commercial buildings, where the systems would not be visible from the street, are not unduly restricted. The 15 foot height is based on testimony from solar installers to provide for standard panels, 3 feet for snow shed, and optimal tilt angles for our latitude.

The Neighborhood Planning Committee recommends amending Sec. 63.110(e) as noted below to apply this general design standard for rooftop equipment to solar energy systems that are not mechanical systems, and help make it clear that § 63.110(e) doesn't require screening to reduce *visibility* of rooftop equipment, but rather requires reducing the *visual impact*, which can be done through such things as location and integration into the roof design as well as by screening.

### **Recommended Zoning Code Amendments**

#### **Sec. 63.110. Building design standards.**

- (e) The visibility visual impact of rooftop mechanical equipment shall be reduced through such means as location, screening, or integration into the roof design. Screening shall be of durable, permanent materials that are compatible with the primary building materials. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.

#### **Sec. 65.921. Solar energy system.**

##### Standards and conditions:

- (a) Building mounted systems shall be subject to the dimensional standards that apply to the building, provided that the height standards for building mounted systems in residential districts shall be as follows:

- (1) The system shall extend no more than three (3) feet above the surface of a roof at its exterior perimeter, and shall be set back at least one (1) foot from the exterior perimeter for every additional foot that the system extends above the height of the roof at its exterior perimeter;
- (2) The system shall not extend above the ridge of a gable, gambrel, hip or mansard roof, except that it may extend up to three (3) feet above the ridge of an accessory building, and may extend up to three (3) feet above the ridge of a principal building when not readily visible from the front property line.

For systems mounted on a commercial or industrial building within five (5) feet of a commercial or industrial building on an adjoining lot, a system that does not conform to the height standards that apply to the building may extend up to fifteen (15) feet above the surface of a flat roof along the common property line.

- (b) Freestanding systems shall be treated as accessory buildings for the purpose of maximum height, maximum lot area coverage, and location requirements; provided that freestanding systems in residential districts shall not exceed fifteen (15) feet in height within ten (10) feet of an interior property line, except for a property line along an alley, with additional height equal to additional setback from property lines permitted to a maximum height of twenty-five (25) feet.

#### **Sec. 65.9224. Support services in housing for the elderly.**



**Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West**

**Minutes May 27, 2011**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, May 27, 2011, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Merrigan, Perrus, Porter, Thao, Wang, Wencil, Young; and Messrs. Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Ochs, Oliver, Schertler, Spaulding, Ward, and Wickiser.

**Commissioners Absent:** Mmes. \*Halverson, and \*Reveal  
\*Excused

**Also Present:** Donna Drummond, Planning Director, Patricia James, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes May 13, 2011.**

**MOTION:** *Commissioner Thao moved approval of the minutes of May 13, 2011. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.*

**II. Chair's Announcements**

Chair Commers had no announcements.

**III. Planning Director's Announcements**

Donna Drummond reported on

**IV. Zoning Committee**

**STAFF SITE PLAN REVIEW** – List of current applications. *(Tom Beach, 651/266-9086)*

Three items came before the staff Site Plan Review Committee on Tuesday, May 24, 2011: Beacon Bluff Parcel 2 at 837 Minnehaha Avenue E., demo and grading; City House-Upper Landing Park Event facility at 258 Mill Street, building improvements for catered events; and Nova Academy, new charter school at Madison at Mercer (Victoria Park), preliminary review.

Six items will come before the staff Site Plan Review Committee on Tuesday, May 31, 2011: Como Park High School Paving at 740 Rose Avenue, repave parking lots, drives, and build four new tennis courts; Oxford Community Center Field at 1079 Iglehart Avenue, new synthetic turf field and upgraded lighting; Hazeldon Parking Lot at 615 Drake Street, soil clean up and temporary parking lot; Libby Parking Lot at 855 Rice Street, demolish building and build a new

parking lot; Chittenden Eastman Building at 2402 University Avenue West, new parking lot on lower level of existing building and repave/stripe existing parking area behind the building; and AGAPE School at 1037 University Avenue West, small addition to existing building and rebuild existing parking lot.

## **OLD BUSINESS**

#11-129-965 Capitol Lien & Title/Tony Magnotta – Determination that vertical wind turbines are uses similar to cell phone antennas. 1010 Dale Street N., between Lawson and Hatch. (Kate Reilly, 651/266-6618)

Commissioner Kramer said that the Zoning Committee has recommended denial of the determination of similar use, but since then they have had some additional discussion with staff about a different approach in this case.

Commissioner Spaulding said that at the Zoning Committee they struggled with how to properly make sure that this was not overly precedential, in terms of allowing a similar use in all B3 districts across the city. Currently there is a study underway to determine what the appropriate regulation might be for wind turbines. He supports referring back to the Zoning Committee to consider how to tailor a more of narrow set of conditions. It would also be useful for the Zoning Committee to consider the wind turbines as an accessory use that would provide electricity on the property.

Commissioner Kramer added that the Zoning Committee believed at the time and the comments of the city attorney were, yes if you establish the similarity of a vertical wind turbine to a use already allowed in B3 it's a citywide decision, and staff does have another approach.

**MOTION:** *Commissioner Kramer moved the Zoning Committee's recommendation to re-refer this case back to the Zoning Committee for additional consideration at their June 16, 2011 meeting. The motion carried unanimously on a voice vote.*

## **NEW BUSINESS**

#11-135-208 Church of St. Mark – Conditional Use Permit for reuse of a large structure (former convent) as a residence for Saint Paul Seminary seminarians. 1976 Dayton Avenue, SE corner at Moore. (Josh Williams, 651/266-6659)

**MOTION:** *Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit. The motion carried unanimously on a voice vote.*

Commissioner Kramer announced that they also had discussion at the Zoning Committee about procedures when denying and approving various zoning applications and City Attorney Peter Warner provided them with a detailed memo. He also announced the items on the agenda for the next Zoning Committee meeting on Thursday, June 2, 2011.

## **V. Comprehensive Planning Committee**

Commissioner Merrigan said that at the last Planning Commission meeting the Comprehensive Planning Committee left something on the table that needs to be addressed. They talked about

the parking amendments but the resolution was not officially announced. The Commissioners have that resolution in front of them at there places.

**MOTION:** *Commissioner Merrigan moved the Comprehensive Planning Committee's recommendation to approve the amendments as they are in the resolution. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

Commissioner Merrigan announced that the next meeting is on Tuesday, June 7, 2011.

## **VI. Neighborhood Planning Committee**

**Solar Energy Systems Zoning Code Amendments** – Release for public review and set public hearing for July 8, 2011. (*Kate Reilly, 651/266-6618, and Allan Torstenson, 651/266-6579*).

Kate Reilly, PED staff gave a power point presentation, talking about how solar installations are currently regulated and the proposal for zoning code amendments related to solar energy systems. The current practice now is that they are treated as a permitted accessory use in all districts, with building mounted systems subject to dimension standards for the building. Freestanding systems are subject to dimension and location standards of accessory structures. Department of Safety and Inspections plan review and zoning staff review the application before permits are issued. Ms. Reilly explained that there are two types of installations: building mounted and freestanding/active. The freestanding/active ones tend to maneuver to follow the track of the sun and the building mounted ones capture as much sun as they can. The code proposal is to permit solar energy systems in all zoning districts as an accessory use, a minor change would be made to language to ensure that the visual impact of rooftop equipment is reduced. They will add solar energy system to the accessory uses listed, clarify that building mounted systems are subject to the dimensional standards of the building, clarify that building mounted systems shall not exceed the height of a variety of roofs and shall not extend more than 12 feet above the surface of a flat or shed roof, and clarify that ground-mounted freestanding solar energy systems are regulated as accessory buildings with flat or shed roofs and shall not exceed 20 feet in height. Ms. Reilly showed some local commercial examples of solar installations; In Saint Paul District Energy has one megawatt solar thermal installation integrated into their building, Minneapolis Convention Center has 60 kilowatt photovoltaic installation on their roof, there is a solar heat installation on the roof at Flannery Construction in Saint Paul, a solar thermal installation on a Saint Paul home, and two more residential examples. Residential systems are more sophisticated or design sensitive. They are usually integrated into the surface of the roof and there are photovoltaic roof shingles, which means that the roof shingle itself is actually the solar energy system. A few questions came up about glare. Current solar panels have a tinted glass to them so they do not give the kind of glare that the older solar installations have given off.

Donna Drummond, Planning Director, asked how does the snow impact these systems, and Ms. Reilly said she has not done any research on that but she will look into it.

Commissioner Thao asked if there are any freestanding systems in the Twin Cities.

Ms. Reilly said there is a proposal for a freestanding one in Eagle Place by the Science Museum. It would look like a building mounted one, but it would be freestanding so it does not rotate.

Commissioner Schertler asked if it is treated any differently then a H-vac system on top of a

building. Ms. Reilly said yes that is exactly how they are going to treat it.

Commissioner Spaulding said talking about sloped roofs instead of flat roofs that it can't extend above the top of the ridge line, some roofs do not have much of a slope but are still a slope, is this an opportunity to provide variance from the code or how would this be accommodated. Reilly said that a variance would be in order.

Commissioner Nelson commented about the glare, because some people build their own solar panels, and he thinks there should be something included with regard to the type of surface that can be on there, so it does not end up being plate glass that reflects sun light.

**MOTION:** *On behalf of the Neighborhood Planning Committee, Commissioner Wencel moved to release the draft for public review and set a public hearing on July 8, 2011. The motion carried unanimously on a voice vote.*

Commissioner Wencel announced the items on the agenda for the next Neighborhood Committee meeting on Wednesday, June 1, 2011.

- VII. **Planning Work Program Update** – Presentation by Donna Drummond, Director of Planning.  
(Donna Drummond, 651/266-6556)

VIII. **Transportation Committee**

Commissioner Spaulding spoke about the three items that they had considered at their last meeting. They heard from the Ramsey County Rail Authority which is undertaking a study of rail traffic in the area known as Hoffman Junction and beyond, that is just east of the Union Depot. They expected a dramatic increase in rail traffic because of the economics of it and the conversion of Union Depot, there are a lot of impacts to sort out in that area. Another thing the county is looking at is a fly over bridge that goes across a number of rails to the Union Depot.

They also discussed the city's submission for the Regional Solicitation of Federal Transportation Projects that Met Council is funding from federal grants. Looking over a list of projects that the city is submitting for approval. Lastly they had a presentation about Nice Ride, Nice Ride has a two year plan focusing on connecting with the existing network in Minneapolis looking to move in the corridor between University, Selby, Marshall and Grand Avenue and expand eastward from the Minneapolis hub this year. Then next year add a number of locations around downtown. Nice Ride installs hubs with bicycles that can be rented through a self service system to ride from one hub to another through the twin cities making summer bicycle riding more palatable to a larger segment of the population.

Commissioner Kramer said that there is a lot of consternation developing over the Nice Rides program because none of the Nice Rides are available in the entire eastern third of the city. None in planning districts 2,4,1,5 and nothing in the Como area either.

Commissioner Thao agrees with Commissioner Kramer and said that there is also a need around the lake Phalen area.

Commissioner Spaulding does not know why that did not come up. There model is to try and concentrate service as much as possible because they find that's where its most successful, when able to ride from one hub to another within relatively close proximity. There maybe some room for improvement as suggested.

Donna Drummond, Planning Director, added that Nice Ride is a nonprofit and the city is not funding it, but the city did spend a little money to help with the planning activity related to it. But it is a system that is gradually expanding and it has to remain somewhat compact and has to gradually grow and not leap frog to other parts of the city. The plan is that they would like to expand more in Saint Paul in the future including downtown. It is a matter of getting the funding, they have gotten a little funds this year and there plans are to keep it growing.

Commissioner Ward said in regards to funding, is there model just to provide services based upon there ability to be awarded grants or is there some type of profitability and a percentage that they are using in order to do this expansion.

Ms. Drummond said she is not entirely sure of their business model, but they have to fund raise and they've gotten funds from Blue Cross/Blue Shield and the city of Minneapolis has put in a significant amount of money to facilitate this. Nice Ride does the fund raising for their capital cost to buy the bikes in the stations and people can subscribe to be a member and then they can check out a bike whenever they want or pay a per day fee which probably would cover their operating cost and again this is a nonprofit business and they are expanding as fast as they can.

Commissioner Wickiser said that the most affective use of Nice Ride is that someone purchases a membership for about \$40.00 and they ride under half an hour then it is free, so putting the

stations in line between Minneapolis and Saint Paul essentially allows someone not to be charged to ride a mile or two then put the bike in the station get another bike and continue on. That is really the impetus for them connecting from Minneapolis to Saint Paul.

Ms. Drummond noted that this is designed for short trips, these are not like a road bike that goes long distances. This is for short trips so you don't have to use your car and then look for parking. This helps people do local daily trips that are short distances.

**IX. Communications Committee**

Commissioner Thao had no report.

**X. Task Force Reports**

None

**XI. Old Business**

None

**XII. New Business**

None

**XIII. Adjournment**

Meeting adjourned at 9:30 a.m.

Recorded and prepared by  
Sonja Butler, Planning Commission Secretary  
Planning and Economic Development Department,  
City of Saint Paul

Respectfully submitted,

Approved \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Donna Drummond  
Planning Director

\_\_\_\_\_  
Anthony Fernandez  
Secretary of the Planning Commission

PED\butler\planning commission\minutes\May 27, 2011

## Kate Reilly - Solar Energy System Zoning Code Amendments

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**From:** Terry Brueck <tbrueck@ema-inc.com>  
**To:** "Allan.Torstenson@ci.stpaul.mn.us" <Allan.Torstenson@ci.stpaul.mn.us>  
**Date:** 7/11/2011 1:15 AM  
**Subject:** Solar Energy System Zoning Code Amendments  
**CC:** "Kate.Reilly@ci.stpaul.mn.us" <Kate.Reilly@ci.stpaul.mn.us>, RalphJacobs...

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Alan – thanks for your assistance at the public hearing. I request that you provide these remarks to the entire Planning Commission since they are making a "strategic decision" in terms of making (or not making) St. Paul a "national leader in sustainability". Solar energy is the single most important way for St. Paul to become more sustainable – environmentally, socially, and economically, a "triple-bottom line" at the local level. All other non-renewable energy sources are more environmentally damaging (mining, drilling, and greenhouse gas emissions), socially irresponsible (health effects), and financially benefit only the power or oil companies.

Solar Energy Systems are America's "New Internet"... restrict access, over-regulate, discourage development, remove economic incentives and they will die. Or conversely, open the access, promote/encourage development, remove restrictions, provide incentives (even offer feed-in tariffs like Germany or Spain) and they will flourish with America as a leader (not the follower we are currently). Everyone knows that those cute little German hamlets lost all the tourists because of those unsightly solar collectors (just kidding – get the point). Just in case you didn't know, Germany is the world-wide leader in solar energy even though the country is farther north than Minnesota. We should be comparing zoning ordinances to Germany (a national program leader) instead of Santa Barbara or Roseville, CA, nor Minneapolis, MN, if we really want to be a "national leader in sustainability".

Please encourage solar development at the residential level in St. Paul! If solar energy systems flourish and get out of hand, you can always clamp down later. If you clamp down now, you squelch it ... and it dies (with little or no recovery possible). When people see solar collectors, they think "progressive community" (not "why did they put that there?"). I'm worried for the future of our city, our country, and our children.

For the record, I'm a concerned citizen and responsible homeowner for over 30 years in St. Paul. I'm not a solar contractor and have no "economic stake" in these zoning code amendments beyond my own very long term payback on our own home solar installation – if I can ever get a permit from the City to build it. (Still waiting since last November!)

I have four areas where I propose you consider changes to the City's recommended zoning code amendments:

1. Sec. 65.921. (b): Freestanding system setbacks – change the "within ten (10) feet of a property line" to be "within ten (10) feet of an adjacent residential property line and within one (1) foot of an adjacent City property line, unless safety considerations require additional setback". This allows for collectors to be closer to City right-of-way property (which may already have power poles, telephone/cable pods, etc.) unless there are concerns for safety.
2. Sec. 65.921. (b): Maximum height of freestanding systems – change the "maximum height of twenty feet (20) feet" to "maximum height of twenty-five (25) feet". This allows for collectors, especially PV arrays, to have additional modules on single pole mounted systems to make them economically feasible. A question was asked by a commissioner during the public hearing that I was not allowed to answer (since I had already testified) about the increased power output of additional rows of modules (higher vertically and across the array horizontally) vs. the incremental cost of the additional modules. Without explaining the details here (except to say that I have "done the math" as a registered professional engineer), additional height (beyond 20 feet) can improve the payback period of (single pole mounted) arrays by as much as 30%. That can be the difference between a 20 year payback and a 13 year payback!
3. Sec. 65.921. (a): Allow for rooftop solar arrays to be south facing – clarify that "dimensional standards that apply to the building" include "allowances for solar panels that must be south facing". Also allow for solar panels on roofs in the rear of the property to "extend above the ridge" if not visible from the



sidewalk on the front-side of the property. Especially allow for roof mounted arrays on garages (or other out buildings on the rear of the property) to "extend above the ridge" of a garage or other out building.

4. Sec. 63.110. (e): Allow for rooftop solar arrays to be south facing – clarify that "south facing collectors are allowed in the roof design, including south facing panels at angles against the roof lines".

Please give these proposed changes due consideration. Feel free to contact me with any questions or clarifications.

Thank you.

Terry Brueck  
2279 Summit Avenue  
St. Paul, MN 55105  
651-644-2634 (home)  
651-331-9000 (cell)

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**Kate Reilly - Comments for Amendments to Chapters 63 & 65 of the St. Paul Zoning Code pertaining to solar energy systems.**

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**From:** James Darabi <james.darabi@solarfarm.com>  
**To:** <kate.reilly@ci.stpaul.mn.us>  
**Date:** 7/8/2011 2:04 PM  
**Subject:** Comments for Amendments to Chapters 63 & 65 of the St. Paul Zoning Code pertaining to solar energy systems.  
**CC:** <Allan.Torstenson@ci.stpaul.mn.us>, <rebecca.lundberg@powerfullygreen.co...  
**Attachments:** sketch to show max height of solar pole mount.PDF; picture example of pole mounted PV array.PDF; speedichannel line set covers.pdf

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Dear Kate:

This email and its attachments are being submitted for the planing commission review:

**Sec. 65.921. Solar energy systems (b) Freestanding systems:** - see attached " sketch to show max height of solar pole mount" and as a reference see attached for "picture example of a pole mounted PV array" to show how it would look.

I do not feel the 12ft free standing height requirement is large enough because it does not consider the steep tilt angle of 60 degrees used for winter tilt on a pole mount systems nor does it allow for snow shed. It may be fine in an area with less snow shed or a lower latitudes where the array tilt angle can be less in winter. If the 12 ft requirement were maintained it would restrict pole mounted systems to very small and costly(cost per watt) systems. A small increase in height to 15 feet or 20 feet max height would allow for much larger systems that would have similar aesthetics.

is: "...freestanding systems in residential districts shall not exceed twelve(12) feet in height ...."

See three alternative height options below:

Option 1) ideal proposal : "... freestanding systems in residential districts shall not exceed twenty-four (24) feet in height ...."

This is based upon the calculations of the sketch attached using a 15 module pole mounted PV array using commonly available(best value) solar modules. If one does not keep the wiring of the array 8 feet from the ground then it needs to be protected so one practice is to put the height of the pole high enough so that the wires are 8 feet above the ground and then are considered un-accessible. This would allow for a 15 module pole mounted array per sketch attached.

Option 2) alternative proposal: "... freestanding systems in residential districts shall not exceed twenty (20) feet in height ...."

This gives 3 feet of height for snow shed but would also mean a protective cover on the back of the array would be needed to protect people from accessing the wiring or a lockable fence would need to be put around the array. As the protective cover or screen is not commonly available off the shelf and it adds cost and can have variation in appearance dependent on how it would be done. And the fencing option would add even more costs unless the fence was already there. This would allow for a 15 module pole mounted array per sketch attached.

Based on my calculations using a winter maximum gain tilt angle of 60 degrees and 3 feet for snow shed and using commonly available size modules and common DPW pole mounts, the twelve foot height requirement would restrict the pole mounted PV arrays to a four module array which if using 250 watt modules would be a 1kW array providing about 15% of the electricity of a common home. This is really a very small system for the work/cost required for a pole mounted system. In this mornings hearing while on the spot I had thought that this would cost only about 10% to 15% more to the cost per watt but

I was wrong because I was thinking I could get a 2kW system. But with only a 1kW system the additional cost for having a small system over a larger system is estimated at around 30%. Some of the costs are closer to fixed than variable so that is why smaller systems would cost more.

On the other had a 15 module array using 250 watt modules would yield a 3.75kW array almost 4 times as large in electrical production, providing about 57% of a typical homes electrical needs. This larger array would be more cost effective in valuation in cost per watt.

Option 3) compromise proposal: "... freestanding systems in residential districts shall not exceed fifteen (15) feet in height ...."

This adds 3ft for show shed and would require a protective wire cover on the back or protective fencing and would allow for a commonly available 8 module DPW pole mounted array using commonly available modules. Using 250 watt module this would yield a 2kW system providing about 30% of a typical homes electrical needs. This would look something like the picture attached.

#### **Sec. 63.110. Building design standards.**

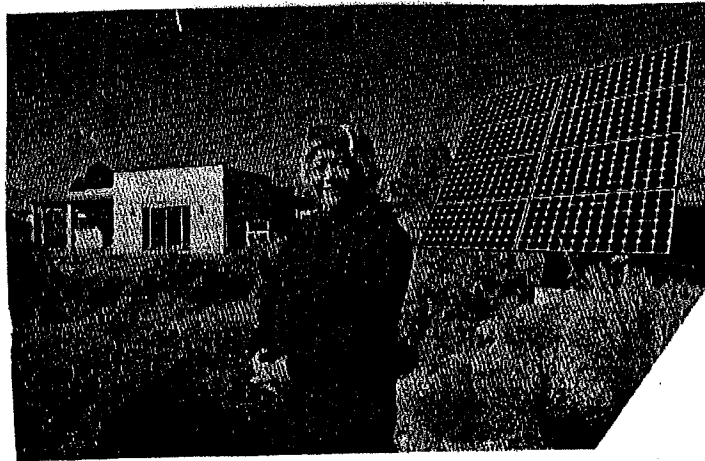
is: "Exterior mechanical equipment such as ductwork shall not be located on primary building facades.."

request: Allow for pipes or conduits to be put in line set covers if on the primary building facade because it is sometimes difficult on some homes to run the the insulated solar fluid pipes(in the case of solar hot water) from the collectors on the roof to the solar storage tank typically located in the basement due to lack of access. It can be cosmetically pleasing to use line set covers(see example of line set cover in attachment) on the outside of the house because they look like a rain gutter downspout and are square to rectangle in shape and have a low profile and are designed for the specific purpose of cosmetically concealing line sets. Using line sets covers and routing the pipes on the outside of the house can also be much more cost effective dependent on the house.

Thank you for allowing me to provide input. Please email or call if you have any questions.

Kind regards,

James Darabi  
Solar Farm, LLC  
(651) 271-8410

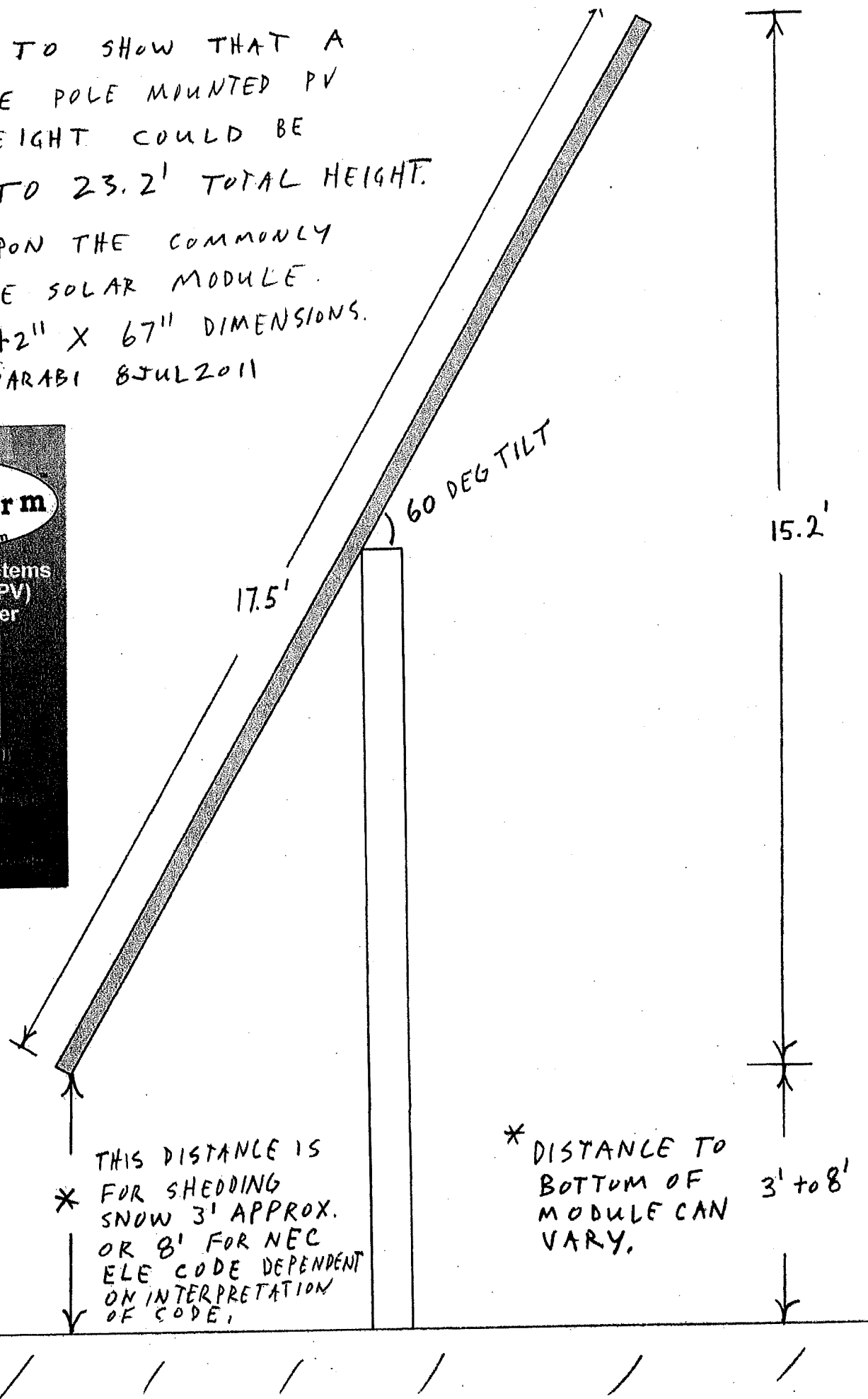
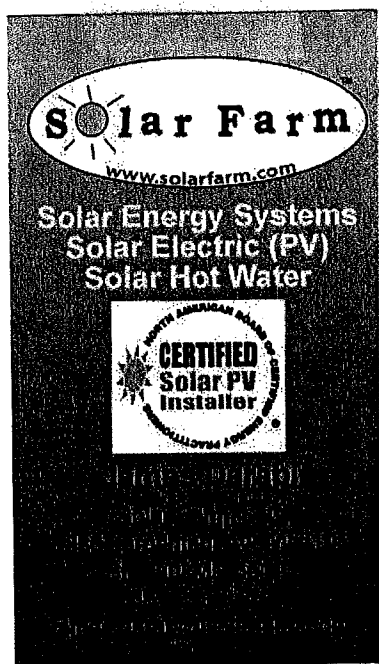


EXAMPLE PHOTO OF  
A POLE MOUNTED  
PV ARRAY

JAMES DARABI 8 JUL 2011

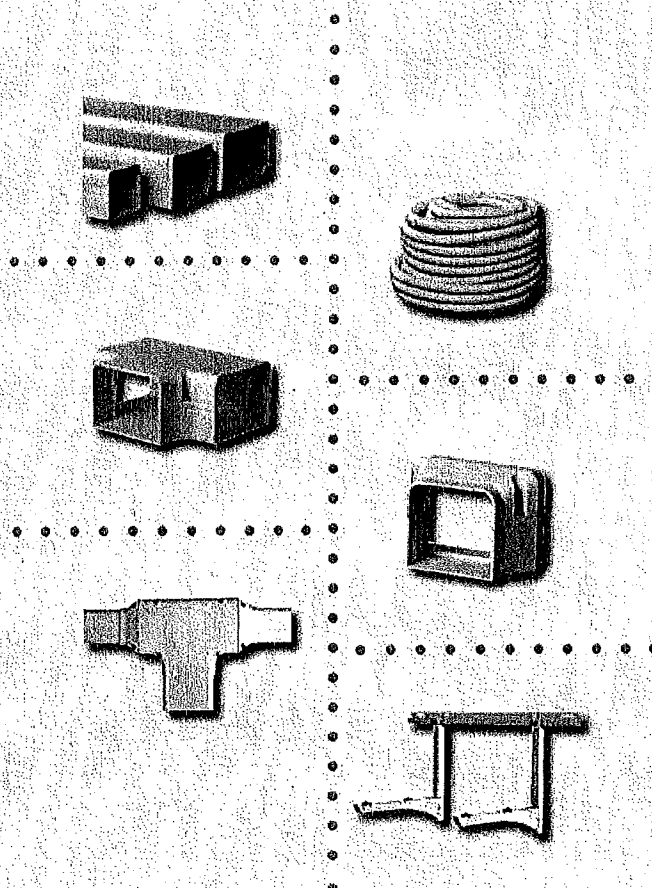
EXAMPLE TO SHOW THAT A  
15 MODULE POLE MOUNTED PV  
ARRAY HEIGHT COULD BE  
18.2' TO 23.2' TOTAL HEIGHT.

BASED UPON THE COMMONLY  
AVAILABLE SOLAR MODULE  
WITH 42" X 67" DIMENSIONS.  
JAMES DARABI 8JUL2011



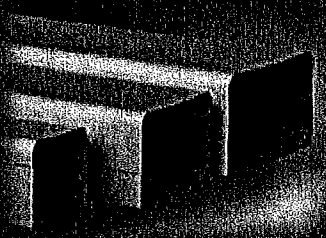
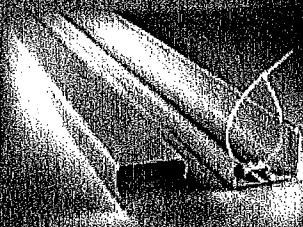
# MINI SPLIT INSTALLATION

Channels .....	188
Condensate Drainage .....	191
Condenser Equipment Mounting.....	190-191
Fittings.....	188-190



# SpeediChannel™ System

DiversiTech SpeediChannel™ is an innovative channel system used to cover air conditioning line sets. The two-part system has a base and a cover. The base is fastened to a wall or ceiling, then a clever little plastic clip (SpeediClip™) snaps into a channel already molded into the base. Then, using standard cable ties, the line set cables (control wires) and/or condenser gas line are fastened in place. The cover then snaps simply onto top of the base.



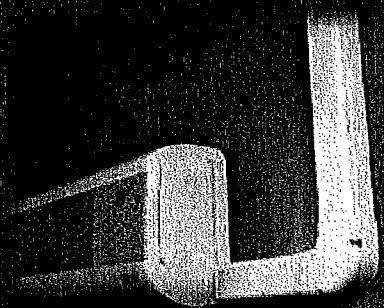
The SpeediChannel™ system is available in three widths: 3/4", 1", and 1 1/2". Each piece of SpeediChannel™ has 12 locations. Accommodate line or control cables, tubing, and more are available for the SpeediChannel™ system.

Standard 1/2" and 3/4" wide SpeediChannel™ systems are available. The 1/2" wide system is ideal for the most common collection of line sets. However, the SpeediChannel™ system is also available in 1" and 1 1/2" widths. The 1" wide system is ideal for the most common collection of line sets. The 1 1/2" wide system is ideal for the most common collection of line sets.



For more information on the SpeediChannel™ system, please call 800.995.2222. The SpeediChannel™ system is available in three widths: 3/4", 1", and 1 1/2". Each piece of SpeediChannel™ has 12 locations. Accommodate line or control cables, tubing, and more are available for the SpeediChannel™ system.

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This information is available as a contractor handout.  
Order item number LIT-FLY-MSPLIT.

# DIVERSiTECH

*Cut your installation time!  
SpeediClip™ - fastest  
SpeediChannel™  
Installation*

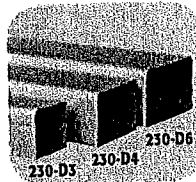
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## CHANNELS

### SpeediChannel™

The DiversiTech SpeediChannel™ is available in three widths, all in 6-1/2 foot lengths.

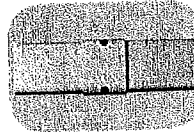
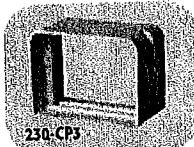


CATALOG NO.	DESCRIPTION	STANDARD PACK
230-D3	3" SpeediChannel™	6
230-D4	4" SpeediChannel™	6
230-D6	6" SpeediChannel™	5

## FITTINGS

### Union Coupling

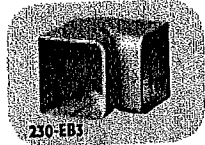
Used for joining two pieces of SpeediChannel™ — each cover being the same size. Each coupling is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-CP3	3" Union Coupling	10
230-CP4	4" Union Coupling	10
230-CP6	6" Union Coupling	10

### 90° Inside Elbow

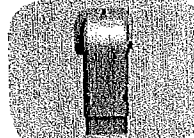
90° inside elbows are used to route the SpeediChannel™ around an inside corner. Each elbow is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-EB3	3" 90 degree Inside Elbow	10
230-EB4	4" 90 degree Inside Elbow	10
230-EB6	6" 90 degree Inside Elbow	10

### Wall Penetration

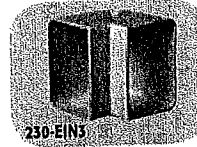
Wall sleeves and penetration covers are used to transition from the SpeediChannel™ system to a through wall penetration. The wall sleeve creates a neat hole through the wall, and the line set is covered by the wall cover. DiversiTech's wall covers are designed to allow for easy installation — even after the line set has been installed. A unique hooking and fastening arrangement allows for quick and easy installation. Each wall cover is individually packed, and is furnished complete with stainless steel screws to attach the wall cover to the base. Three screws (supplied by others) are needed to fasten the wall cover to whatever type of wall construction the system is being installed on.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-WC3	3" Wall Penetration Cover	10
230-WC4	4" Wall Penetration Cover	10
230-WC6	6" Wall Penetration Cover	10
230-WS2	2-1/2" Wall Sleeve	10

### 90° Outside Elbow

90° outside elbows are used to route the SpeediChannel™ around an outside corner. Each elbow is individually packed, and is furnished complete with stainless steel screws.

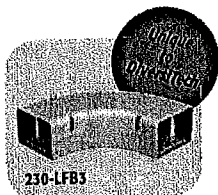


CATALOG NO.	DESCRIPTION	STANDARD PACK
230-EIN3	3" 90 degree Outside Elbow	10
230-EIN4	4" 90 degree Outside Elbow	10
230-EIN6	6" 90 degree Outside Elbow	10

# FITTINGS cont'd

## 90° Long Radius Bend

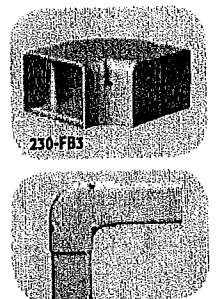
90° long radius flat bends are used to route the SpeediChannel™ around an obstacle. The long radius of the elbow allows a gentle bending radius on the copper line set. Each elbow is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-LFB3	3" 90 deg Long Radius Bend	10
230-LFB4	4" 90 deg Long Radius Bend	10
230-LFB6	6" 90 deg Long Radius Bend	10

## 90° Flat Bend

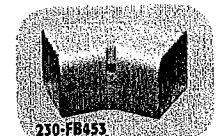
90° flat bends are used to route the SpeediChannel™ around an obstacle. Each bend is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-FB3	3" 90 deg Flat Bend	10
230-FB4	4" 90 deg Flat Bend	10
230-FB6	6" 90 deg Flat Bend	10

## 45° Flat Bend

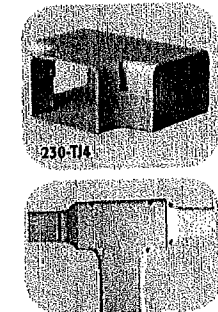
45° flat bends are used to route the SpeediChannel™ around an obstacle. Each bend is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-FB453	3" 45 degree Flat Bend	10
230-FB454	4" 45 degree Flat Bend	10
230-FB456	6" 45 degree Flat Bend	10

## T-Joint

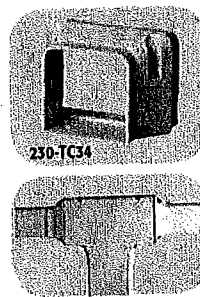
Used for creating a tee connection between three pieces of SpeediChannel™ – all covers being the same size. The tee can be combined with the reducing coupling to join SpeediChannel™s of different sizes. Each tee is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-TJ4	4" T-Joint	10
230-TJ6	6" T-Joint	10

## Reducer Coupling

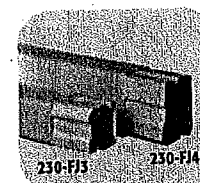
Used for joining two pieces of SpeediChannel™ – each cover being a different size. Each coupling is individually packed, and is furnished complete with stainless steel screws.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-TC34	3" x 4" Reducer Coupling	10
230-TC46	4" x 6" Reducer Coupling	10

## Flex Joint

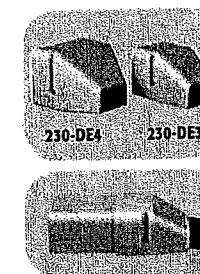
An accordion style piece of SpeediChannel™, the flex joint can be extremely flexible routing a SpeediChannel™ system around virtually any type of obstacle. Each joint is 20" long and can be combined together for longer flex runs. Unlike competitor systems, the DiversiTech flex joint does NOT require the use of a union coupling. The DiversiTech flex joint slides tightly inside the SpeediChannel™ system.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-FJ3	3" Flex Joint	10
230-FJ4	4" Flex Joint	10

## Duct End

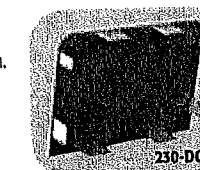
The duct end is used to terminate a run of SpeediChannel™ to a small opening – just large enough for the line set and condensate drain line to pass through. Gives a neat/clean installation.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-DE3	3" Duct End	10
230-DE4	4" Duct End	10
230-DE6	6" Duct End	10

## Cap

Used to cap the end of a SpeediChannel™ run. Easily snaps into the end of the SpeediChannel™.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-DC3	3" Cap	10
230-DC4	4" Cap	10
230-DC6	6" Cap	10

# FITTINGS cont'd

## Flat Wall Escutcheon

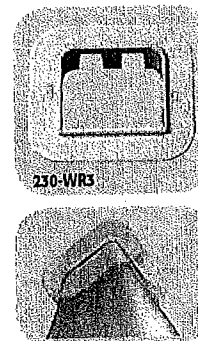
Typically used to cover a rough opening in a soffit, wall, or ceiling penetration. One side of the escutcheon is flat to allow for a SpeediChannel™ run going along a wall, and penetrating through an adjacent wall or ceiling. This is the most common type of wall penetration. Furnished in two parts, the escutcheon easily snaps onto the SpeediChannel™.



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-FR3	3" Flat Wall Escutcheon	10
230-FR4	4" Flat Wall Escutcheon	10
230-FR6	6" Flat Wall Escutcheon	10

## Wall Escutcheon

Typically used to cover a rough opening in a wall or ceiling penetration. The hole in the escutcheon is centered to allow for a free standing SpeediChannel™ to penetrate through a wall or ceiling. This is the fairly un-common type of wall or ceiling penetration. Check carefully, as you may need the Flat Wall Escutcheon. Furnished in two parts, the escutcheon easily snaps onto the SpeediChannel™.

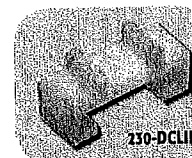


CATALOG NO.	DESCRIPTION	STANDARD PACK
230-WR3	3" Wall Escutcheon	10
230-WR4	4" Wall Escutcheon	10
230-WR6	6" Wall Escutcheon	10



## SpeediChannel™ Accessories

A variety of accessories that are complementary or required for installing DiversiTech's SpeediChannel™ system.

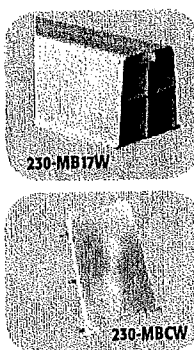


CATALOG NO.	DESCRIPTION	STANDARD PACK
230-DCLIP	SpeediClip™	50
230-DSCREW	SpeediChannel™ Screw	100
WTB11C	Black Wire Ties - 11"	100

# CONDENSER EQUIPMENT MOUNTING

## Mounting Blocks

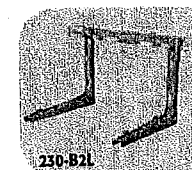
Used as mounting bases when condensing units must be bolted down. Available in three lengths. End caps are also available for aesthetics. Furnished complete with mounting bolts. Maximum load capacity is 900 pounds per mounting block. Installation temperature range from -4°F (-20°C) to 140°F (60°C). Mount Blocks fit all mini-split condensing units with a unique sliding rail feature.



CATALOG NO.	DESCRIPTION	PACK/CASE
230-MB14W	14" Mount Block (White) pack of 2	6
230-MB17W	17" Mount Block (White) pack of 2	6
230-MB36W	36" Mount Block (White) pack of 2	1
230-MBCW	Mount Block End Cap (White) pack of 4	25

## Type 2 Wall Brackets

Used for supporting condensing units, type 2 brackets feature a cross bar that is attached to a wall, and two L-shaped brackets that are hooked and bolted into place on the cross bar. The condensing unit is mounted onto the L-shaped brackets, and fastened using the bolts and anti-vibration washers provided.



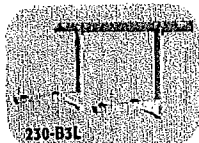
CATALOG NO.	DESCRIPTION	ARM LENGTH	LOAD RATING PER ARM	STANDARD PACK
230-B2M	Type 2 Wall Brackets (Medium)	18"	165#	1
230-B2L	Type 2 Wall Brackets (Large)	21"	220#	1

# CONDENSER EQUIPMENT MOUNTING cont'd

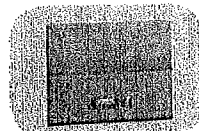
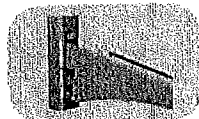
## Type 3 Wall Brackets

Used for supporting condensing units, type 3 brackets (just like type 2 brackets) feature a cross bar that is attached to a wall, and two L-shaped brackets that are hooked and bolted into place on the cross bar. The condensing unit is mounted onto the L-shaped brackets, and fastened using the bolts and anti-vibration washers provided.

The type 3 bracket features an innovative locking mechanism called Easy-Fit™. Easy-Fit™ enables the arms to be joined to the uprights in a matter of seconds. A spring-lock automatically secures the joint, preventing the arms from being dislodged accidentally. All brackets are furnished complete with an integral bubble level to make correct installation of the crossbar easier.



230-B3L

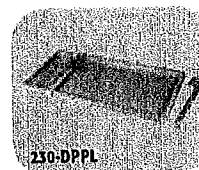


CATALOG NO.	DESCRIPTION	ARM LENGTH	LOAD RATING PER ARM	STANDARD PACK
230-B3M	Type 3 Wall Brackets (Medium)	19"	100#	1
230-B3L	Type 3 Wall Brackets (Large)	21"	150#	1

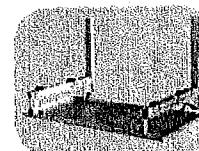
# CONDENSATE DRAINAGE

## Condensate Drain Pans

When a mini-split system is operated in heat pump mode, the outdoor coil becomes the evaporator coil. There is typically condensation generated from the evaporator coil. In certain installations, the condenser coil may be mounted overhead on brackets affixed to a wall. In these overhead mount applications, dripping condensation may be objectionable. Condensate drain pans bolt onto the condenser mounting brackets, and the drain line can be plumbed to a suitable nearby drain location. Furnished complete with all mounting hardware, and drain pan outlet, condensate drain pans are available in either plastic or powder coated steel.



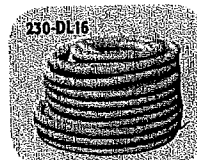
230-DPPL



CATALOG NO.	DESCRIPTION	STANDARD PACK
230-DPPL	Poly Condensate Drain Pan (Large)	1
230-DPML	Metal Condensate Drain Pan (Large)	1
230-DPPM	Poly Condensate Drain Pan (Medium)	1
230-DPMM	Metal Condensate Drain Pan (Medium)	1

## Mini-Split Condensate Drain Line

A unique drain line for mini-split units. This large diameter drain line is typical for mini-split installations. Furnished in 160 foot lengths with cut marks every 3.28 feet.

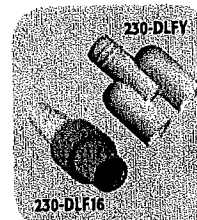


230-DL16

CATALOG NO.	DESCRIPTION	STANDARD PACK
230-DL16	5/8" ID Mini-Split Drain Line	160'/Roll
230-DL20	3/4" ID Mini-Split Drain Line	160'/Roll

## Mini-Split Drain Adapters

Mini-Split fan units – either ceiling cassettes or wall cassettes – typically have a unique (metric) drain line fitting. DiversiTech's adapters convert this metric fitting to standard drain line tubing sizes.



230-DLFY

230-DLF16

CATALOG NO.	DESCRIPTION	STANDARD PACK
230-DLFY	Mini-Split Drain Line Wye (Pack of 1)	1
230-DLF16	16mm Mini-Split Drain Line Adapter (Pack of 1)	1
230-DLF18	18mm Mini-Split Drain Line Adapter (Pack of 1)	1
230-DLF20	20mm Mini-Split Drain Line Adapter (Pack of 1)	1
230-DLF25	25mm Mini-Split Drain Line Adapter (Pack of 1)	1
230-DLF32	32mm Mini-Split Drain Line Adapter (Pack of 1)	1

# SpeediChannel™ System Installation

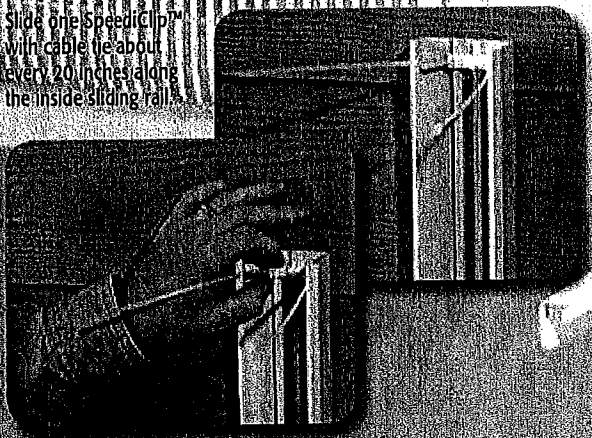
## Step 1

Attach the SpeediChannel™ base to the wall about every 15 inches with screws suitable for the wall construction (siding, stucco, brick, etc.). Screw through the center of the molded rail. Slide the connecting piece (elbow, union, tee, etc.) under the SpeediChannel™ before attaching the end of the channel to the wall. When cutting lengths of SpeediChannel™, allow 1/8" gap between the end of the SpeediChannel™ and the stop inside the fitting to allow for thermal expansion.



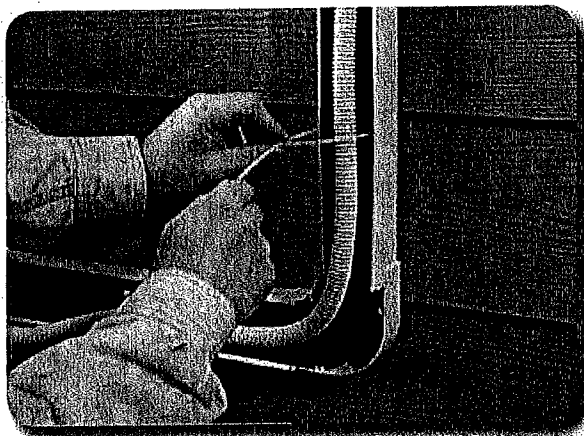
## Step 2

Slide one SpeediClip™ with cable tie about every 20 inches along the inside sliding rail.



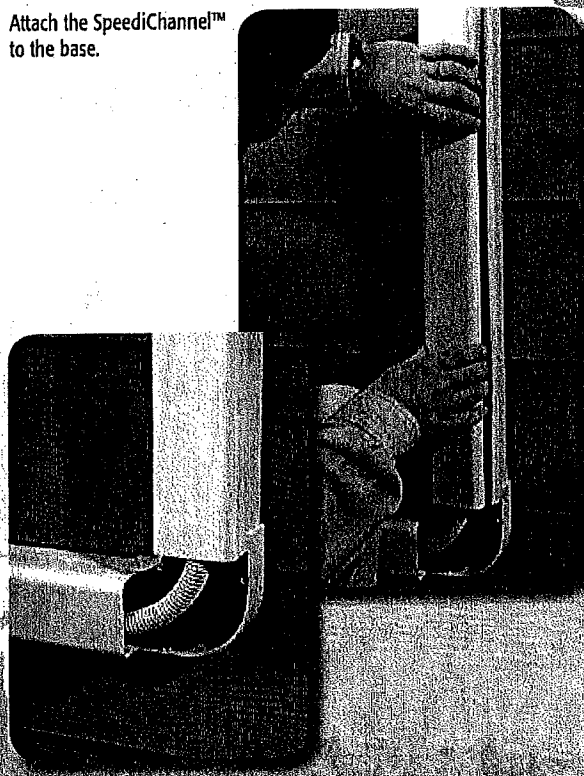
## Step 3

Install the line set, drain line, and wires inside the SpeediChannel™. Test the equipment installation prior to tightening the cable ties. Tighten the cable ties snug, but not so tight they damage the tubing insulation or kink the drain line. Trim excess length from the cable tie.



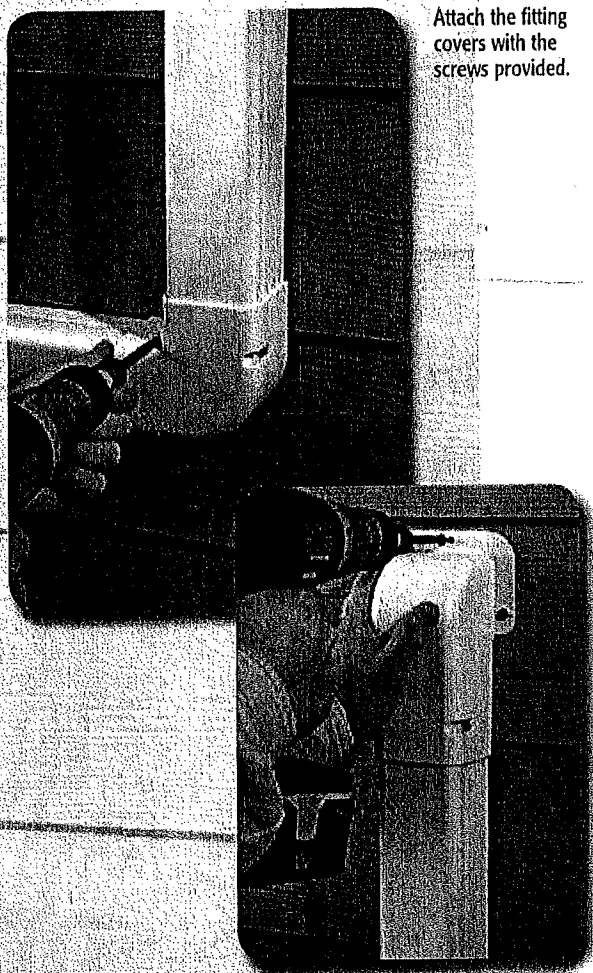
## Step 4

Attach the SpeediChannel™ to the base.





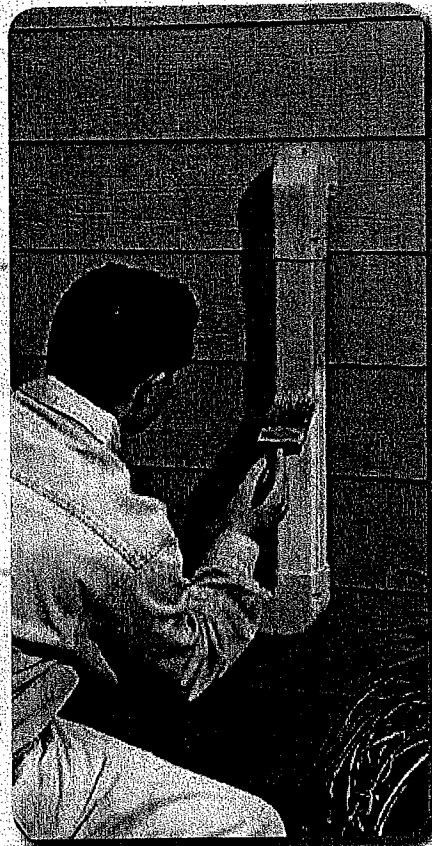
## Step 5



Attach the fitting covers with the screws provided.

## Step 6

When complete, paint the Speedi-Channel™ to match surface of installation (if desired).



# DiversiTech SpeediChannel™ System

## SIZING CHART AND SELECTION INFORMATION

### Maximum Line Set, Drain Pipe, and Cable Capacity using 3/8" Insulation

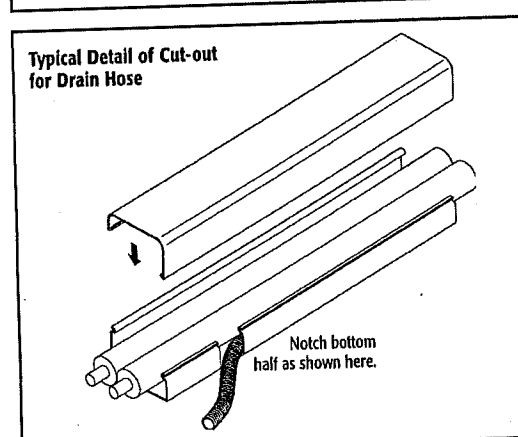
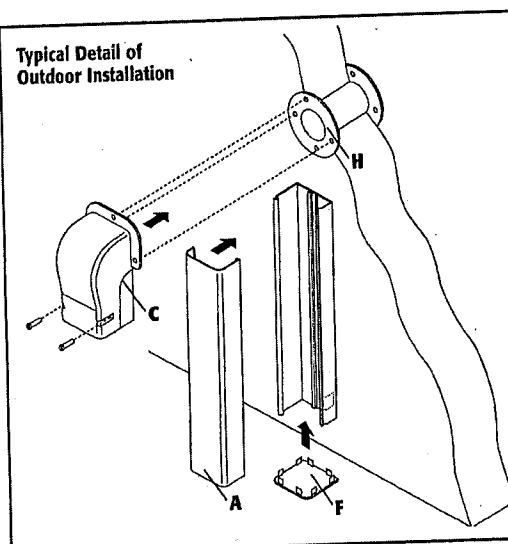
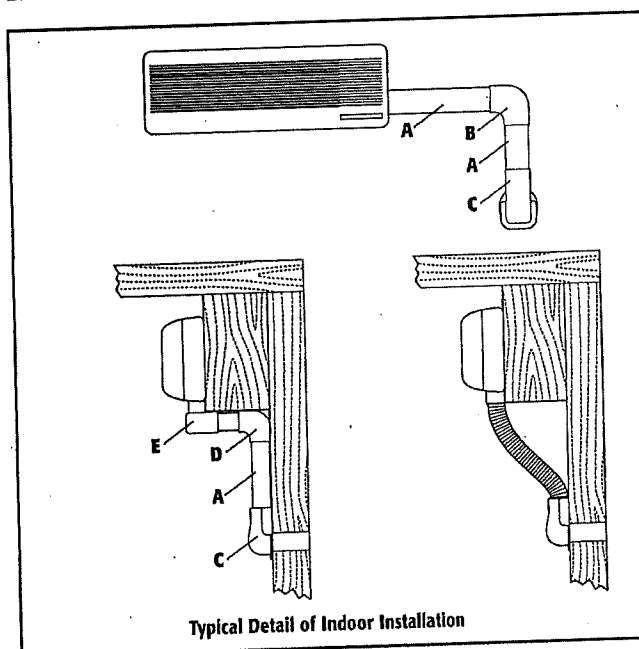
Model	230-D3	230-D4	230-D6
Dimension	3" x 2-1/2"	4" x 2-3/4"	6" x 3"
Length	78"	78"	78"

### Mini Split Systems – Liquid and Suction Line with 3/8" Insulation

Liquid Line	3/8"	2 x 1/4"	1 x 1/4" + 2 x 3/8"
Suction Line	5/8"	2 x 3/8"	1 x 1/2" + 2 x 5/8"
Drain Hose	3/4" OD	2 x 3/4" OD	3 x 3/4" OD
Power Cable	1 x UF-14-3	2 x 1/2" SealTite	3 x 1/2" SealTite
Control Cable	1 Pair 18 AWG	2 Pairs 18 AWG	3 Pairs 18 AWG
Nominal tonnage	1-3 Tons	1x3 Ton or 2x1 Ton	1x3 Ton or 2x2 Ton

### Conventional Split Systems – Liquid Line Plain, Suction Line with 3/8" Insulation

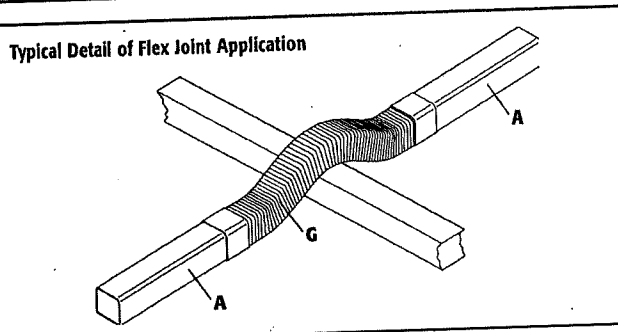
Liquid Line	3/8"	3/8"	3/8"
Suction Line	3/4" or 7/8"	1-1/8"	1-1/8"
Drain Hose	3/4" PVC	3/4" PVC	3/4" PVC
Power Cable	1 x UF-14-2	1 x 1/2" SealTite	1 x 1/2" SealTite
Control Cable	1 Pair 18 AWG	1 Pair 18 AWG	1 Pair 18 AWG
Nominal tonnage	Up to 3.5 Tons	4-5 Tons	7.5 Tons and up



- A - 230-D
- B - 230-FB
- C - 230-VVC
- D - 230-EB
- E - 230-EIN
- F - 230-DC
- G - 230-FJ
- H - 230-VS2

NOTE:  
Suffix parts A-G  
with the duct  
size needed  
(3, 4, or 6)

### Typical Detail of Flex Joint Application

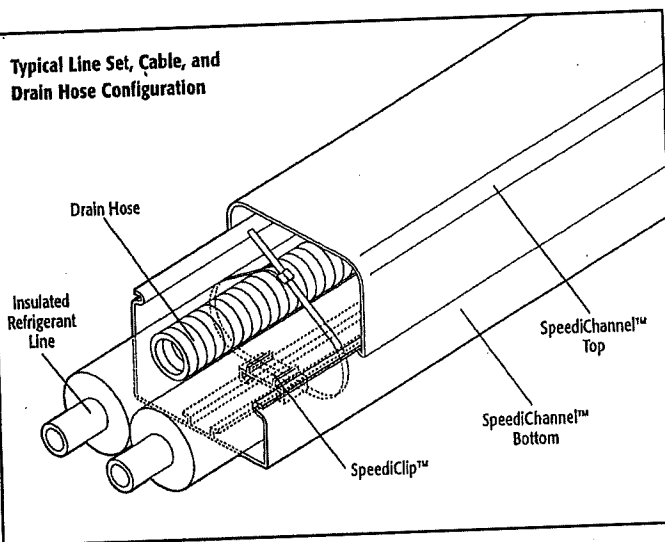


# DiversiTech SpeediChannel™ System

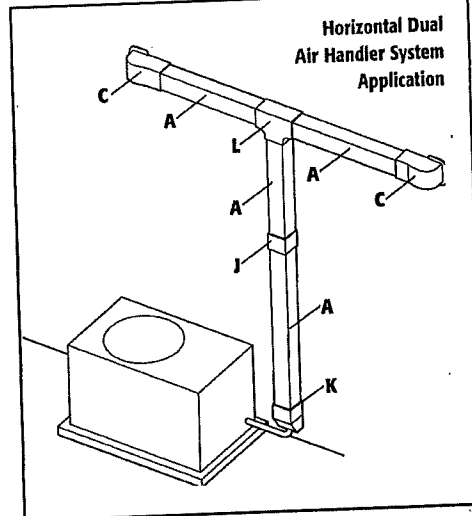
## TECHNICAL SPECIFICATIONS

Color	Natural	230-D3: 3" x 2-1/2" OD	230-D4: 4" x 2-3/4" OD	230-D6: 6" x 3-1/8" OD	Standard Length: 78"
Size					
Material		Weather Resistant PVC, UV Stabilized and Fire Resistant			
Fixing		Meets UL 94V-0			
Temperature Range		-4°F TO 140°F			
Weather Resistance		Tested to over 2,000 hours			
Fastener		Stainless Steel			

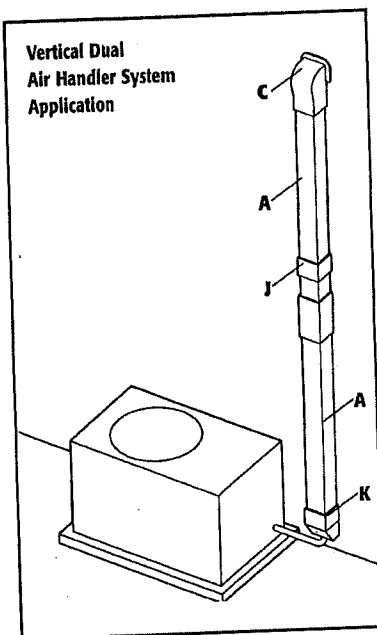
Typical Line Set, Cable, and Drain Hose Configuration



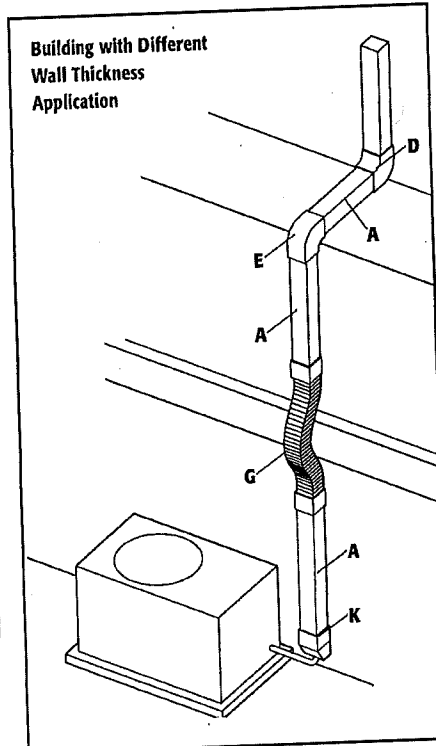
Horizontal Dual Air Handler System Application



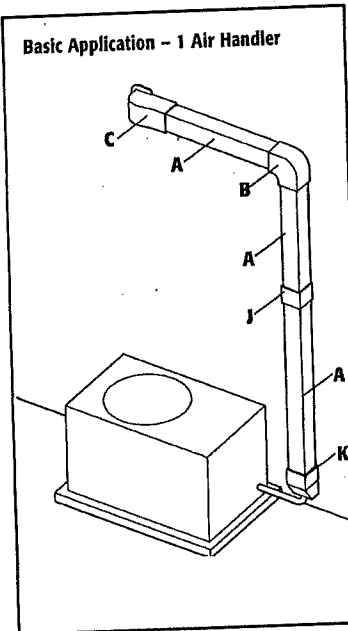
Vertical Dual Air Handler System Application



Building with Different Wall Thickness Application



Basic Application - 1 Air Handler



- A - 230-D
- B - 230-FB
- C - 230-WC
- D - 230-EB
- E - 230-EIN
- F - 230-DC
- G - 230-FI
- H - 230-W52
- I - 230-CP
- J - 230-DE
- K - 230-TC

NOTE:  
Suffix parts A-G  
with the duct  
size needed  
(3, 4, or 6)

MINI SPLIT INSTALLATION



6 July, 2011

Kate Reilly  
Saint Paul Planning Commission  
25 West Fourth Street, Suite 1400  
Saint Paul, MN 5102

To the Commission:

Thank you for taking my comments! At a recent meeting of Solar Minnesota, the proposed changes to the zoning code were discussed, and several concerns were voiced. It was agreed that those of us who could would attend the hearing on July 8<sup>th</sup>. As I am out of town all week, I am sending written comments instead of attending.

The first concern I would like to mention is the "visual impact" addressed in Section 63.110: Building Design Standards. Although it may not be intentional, there seems to be an underlying assumption that solar panels are unsightly. While most of us would agree that some installations of solar panels can detract from the viewscape, this is more a matter of how the panels are deployed, and how much consideration is given to how they fit into the surrounding space. It is not an intrinsic characteristic of solar panels!

Furthermore, a determination of what is nice-looking or not, is an extremely subjective matter, and no description on paper is going to reduce controversy. Indeed, over the past twenty years I have watched public attitudes toward solar go from very negative to slightly positive, and getting more so all the time as people see utility and government use of solar energy increase. I would suggest that rather than focusing on a description to try and please everybody about what solar installations should look like, we should talk about a process which seems fair and has appropriate opportunities for engagement with the solar community.

We also have concerns about the limitation of roof-mounted solar panels to the height of the roof ridge. This may be appropriate in many cases, but not in others. So again this brings me to questions about HOW the zoning will be used. What will be the process for establishing the relevant height restrictions in cases which merit further consideration – what input does the solar designer, or indeed the solar community have? I know of cases where if the project design doesn't meet all zoning criteria, it is flatly turned down, and I think that has been a mis-use of the zoning code where this has occurred. I would hope that if a solar project doesn't meet the zoning criteria, that then there would be a process for coming to agreement on how to move forward.

Anyways, thanks for taking my comments!

Ralph Jacobson  
Owner, Innovative Power Systems, Inc.  
President, Minnesota Solar Energy Industries Association  
Member, Minnesota Renewable Energy Society

7 June 2011

Michael Russelle  
1480 Chelmsford Street  
Saint Paul, MN 55108

Saint Paul Planning Commission  
25 West Fourth Street  
Saint Paul, MN 55102

Members of the Saint Paul Planning Commission:

I am unable to attend the hearing on 8 June but provide these written comments for your consideration of the proposed amendments to Chapters 63 and 65 of the Saint Paul Zoning Code, pertaining to solar energy systems.

Unfortunately, no background information, engineering or aesthetic justification, or intent of the amendments was provided. To obtain thoughtful input from the citizens and residents of the City, I recommend such information be provided in future. My apologies to you if I have misinterpreted the intent of the amendments.

As a general policy, I recommend that St. Paul support installation of distributed energy generation systems. We not only need to conserve energy and reduce our use of fossil fuels, but we should support, in as many ways as possible, the installation of renewable means of heat and power production. Minnesota can and should develop solar electricity and heating as two components of this effort.

There are anecdotal reports that indicate solar panels are undesirable in the city – I have heard 'ugly' used by one person, who had decided not to install them on a house being built with excellent southern exposure, an unusual situation in established residential areas. That is a lost opportunity for us to meet the challenges we face as a city, a state, and a globe. Solar hot water panels have been embraced in many cities in Brazil and in historic districts in Italy and Spain. I have seen both photovoltaic panels and hot water panels on buildings in the Swiss alps, where the building codes are strictly enforced to maintain traditional appearances.

Aesthetics are not permanent, whereas the depletion of fossil fuel resources and their increasing impact on global climate disruption are, for all practical purposes. Our City should be engaged in changing that aesthetic, rather than hindering the radical changes we should and need to make. It is vastly preferable for us to transition our society with a plan and vision in mind, than to react to extreme conditions.

How does the City propose that screening be applied to reduce the visual impact of, say solar hot water panels mounted on a residential building? Why would the City do so? As

more systems are installed and are visible to passers by, the more acceptable they will become. Adoption of energy conservation measures is incremental for most people. Our building codes should facilitate adoption of these more advanced and expensive measures.

Instead, the proposed amendments, as I read them, establish direct impediments to fulfilling the recommendations from the National Renewable Energy Laboratory (Jason Coughlin presentation to the Minnesota State Legislature, October 2009). Their recommendations for creating a "solar-friendly environment" in Minnesota were to:

- Implement **"Solar-Ready"** building codes
- Revise **building codes and standards**, with input from the solar community, to increase the use of best practices in solar installations.
- **Streamline** and standardize the permitting process within and across jurisdictions
- Reduce or eliminate **solar permit fees**, particular for small installations
- Pass **solar access** ordinances
- Prevent **Home Owner Associations** from discriminating against solar installations.
- Educate **building code officials** about solar
- Create policies to allow solar on **historic buildings** while still preserving the integrity of such sites.

(slightly adapted from slide 22 of that presentation with their emphasis retained; available at <http://www.stpaul.gov/DocumentView.aspx?DID=10587>).

The Planning Commission should amend the codes to advance the goals of Sustainable Saint Paul and in particular the activities listed on the City's Energy and Energy Conservation website (<http://www.stpaul.gov/index.aspx?NID=498>). I urge the Planning Commission to thoroughly reconsider their approach to solar photovoltaic and hot water installations.

Thank you,  
[s] Michael Russelle

**Kate Reilly - Comments on zoning for solar systems**

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**From:** Daniel Williams <dan.williams@powerfullygreen.com>  
**To:** <kate.reilly@ci.stpaul.mn.us>  
**Date:** 7/11/2011 10:08 AM  
**Subject:** Comments on zoning for solar systems  
**CC:** Rebecca Lundberg <rebecca.lundberg@powerfullygreen.com>, Ralph Jacobson ...  
**Attachments:** IMG\_0644.JPG

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Attention: Kate Reilly

Saint Paul Planning Commission

25 West Fourth Street, Suite 1400

Saint Paul, MN 5102

Hello,

I attended Friday's hearing and was also asked to submit my comments in writing.

There were three areas of the zoning code addressed.

63.110 section (e)

Visual impact of rooftop equipment. My comments first ventured into wanting a continuing discussion on zoning as solar is an evolving technology and decisions today are typically made on what happened in the past and do not necessarily reflect on what is possible or may be possible in the very near future. I noted that the technical change of adding "visual impact" and the deletion of one word from the first sentence "mechanical" made a grey area for electrical conduit runs and solar piping runs if necessary on the outside of a building. I also noted that in residential and commercial areas there already exists electrical conduit runs and rain gutters and that the additional runs if necessary to be on the facade during an installation could in fact look very similar to what already exists.

Additionally the second instance of the word "mechanical" in the third sentence seemed to only reflect on ductwork and therefore did not include Solar PV or Solar Hot Water in its exclusion.

65.921 section (a)

I talked about the necessity of meeting program guidelines for receiving the latest round of state rebates and utility incentives. In order to achieve this sometimes solar pv panels are mounted on stand-offs to face south, typically when installed on a garage roof near the alley. I asked that some creative thinking, variance or forgiveness be used when an installation may go above the ridge line to achieve good performance and to meet current incentive requirements.

I've included a photo (IMG\_0644.JPG) to illustrate what a stand-off could look like on a garage in an alley.

65.921 section (b)

In regard to free-standing systems, I mentioned with advent of the coming of electric vehicles in the very near future, that most people would want to install systems on their garages or next to their garages on a "solar car-port". People would want the choice to power their car themselves and the current setbacks may infringe on their choices.

If you attend the MN State Fair this year stop in at the Eco Experience in the Progress Center and you can see first-hand two examples solar carports.

Thank you,

Daniel Williams  
NABCEP Certified Solar PV Installer - 091110-127  
NABCEP PV Technical Sales # PVTS012911-96  
Powerfully Green  
11451 Oregon Avenue N  
Champlin, MN 55316  
Ph: 612-990-3213  
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"You must be the change you wish to see in the world."  
-- Mahatma Gandhi

